

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

PATRISHA MOORE,)
Plaintiff,)
))
vs.) **Case No. 08-4030-JAR**
))
MICHAEL J. ASTRUE,)
COMMISSIONER OF)
SOCIAL SECURITY,)
Defendant.)
_____)

ORDER ADOPTING RECOMMENDATION AND REPORT

Ten days having passed, and no written objections being filed to the proposed findings and recommendations filed by Magistrate Judge Donald W. Bostwick, and after a de novo determination upon the record pursuant to Fed. R. Civ. P. 72(b), the Court accepts the recommended decision and adopts it as its own.

IT IS THEREFORE ORDERED that the decision of the Commissioner be reversed, and that the case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g), for an immediate award of benefits in accordance with the January 13, 2009 Recommendation and Report (Doc. 21).

IT IS SO ORDERED.

Dated this 28th day of January 2009.

Dated: January 28, 2009

S/ Julie A. Robinson

JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE

