

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

BRENDA McCRAY for B.M.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:08cv209-MHT
)	(WO)
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

OPINION

This Social Security case is now before the court on the recommendation of the United States Magistrate Judge that defendant Commissioner of Social Security's decision should be affirmed. Also before the court are plaintiff's objections to the recommendation. After an independent and de novo review of the record, the court concludes that plaintiff's objections should be overruled and the magistrate judge's recommendation adopted. Even if Ellington v. Astrue, 2008 WL 1805435 (M.D. Ala. 2008)

Coody, M.J.), were to apply, it is apparent that the ALJ sufficiently separated the three inquiries demanded under Ellington.

An appropriate judgment will be entered.

DONE, this the 30th day of January, 2009.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE