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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

CAROL DIANE WILSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. CV 05-1334-PCT-SMM

ORDER

On February 9, 2009 the Ninth Circuit Court of Appeals entered a mandate in this case (Doc. 37). The Ninth Circuit reviewed this Court's Order upholding the Commissioner of Social Security's denial of disability benefits under Title II of the Social Security Act (Doc. 37, Mem. p.1). Upon its review, the Ninth Circuit reversed this Court and found that the Administrative Law Judge did not support his finding with substantial evidence (Doc. 37, Mem. p.1-2). Furthermore, the Ninth Circuit remanded the case with instructions to remand to the Administrative Law Judge for an award of benefits (Doc. 37, Mem. p.4).

Accordingly,

IT IS HEREBY ORDERED that this case shall be **REMANDED** to the Administrative Law Judge for an award of benefits.

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DATED this 11th day of February, 2009.



Stephen M. McNamee
United States District Judge