

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

KEITH BROWN,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of the Social  
Security Administration,

Defendant.

No. CIV 08-196-TUC-CKJ

**ORDER**

On August 21, 2009, Magistrate Judge Jacqueline Marshall issued a Report and Recommendation [Doc. # 22] in which she recommended that Plaintiff's Motion for Summary Judgment [Doc. # 13] be granted in part and denied in part, Defendant's Cross-Motion for Summary Judgment [Doc. # 14] be denied, and this matter be remanded for further administrative proceedings. No objections have been filed within the time provided by 28 U.S.C. § 636(b).

Accordingly, after an independent review, IT IS ORDERED:

1. The Report and Recommendation [Doc. # 22] is ADOPTED;
2. Plaintiff's Motion for Summary Judgment [Doc. # 13] is GRANTED in part and DENIED in part;
3. Defendant's Cross-Motion for Summary Judgment [Doc. # 14] is DENIED;
4. This matter is REMANDED to the Commissioner for further administrative proceedings consistent with the Report and Recommendation, as adopted by this Court.
5. Judgment shall be entered in favor of Plaintiff and against Defendant.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

6. The Clerk of the Court shall enter judgment in this case and shall then close its file in this matter.

DATED this 14th day of September, 2009.

  
Cindy K. Jorgenson  
United States District Judge