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6 UNITED STATES DISTRICT COURT  
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11 EASTERN DISTRICT OF CALIFORNIA  
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10 PANG YANG, ) 1:07-cv-01099-AWI-SMS  
11 v. Plaintiff, )  
12 MICHAEL J. ASTRUE, ) ORDER RE: FINDINGS AND  
13 COMMISSIONER OF SOCIAL ) RECOMMENDATIONS RE: PLAINTIFF'S  
14 SECURITY, ) SOCIAL SECURITY COMPLAINT (DOCS.  
15 Defendant. ) 2, 24)  
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16 Plaintiff is proceeding in forma pauperis and with counsel  
17 with an action seeking judicial review of a final decision of the  
18 Commissioner of Social Security (Commissioner) denying  
19 Plaintiff's application for benefits. The matter has been  
20 referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)  
21 and Local Rule 72-302(c)(15). Pending before the Court is the  
22 Magistrate Judge's findings and recommendations regarding  
23 Plaintiff's Social Security complaint.

24 On October 23, 2008, the Court filed findings and a  
25 recommendation that Plaintiff's social security complaint be  
26 granted in part, that the matter be remanded pursuant to sentence  
27 four of 42 U.S.C. § 405(g) for further consideration of the  
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1 claim, and the Clerk be directed to enter judgment for Plaintiff  
2 Pang Yang and against Defendant Michael J. Astrue. The findings  
3 and recommendation were served on all parties on October 23,  
4 2008, and contained notice that any objections to the findings  
5 and recommendations were to be filed within thirty (30) days of  
6 the date of service of the order. No party filed any objections.

7 In accordance with the provisions of 28 U.S.C. § 636  
8 (b) (1) (C) and Britt v. Simi Valley United School Dist., 708 F.2d  
9 452, 454 (9<sup>th</sup> Cir. 1983), this Court has conducted a *de novo*  
10 review of the case. Having carefully reviewed the entire file,  
11 the Court finds that the findings and recommendation filed on ,  
12 are supported by the record and proper analysis.

13 Accordingly, IT IS HEREBY ORDERED that:

14 1. The findings and recommendation filed on October 23,  
15 2008, are ADOPTED IN FULL; and

16 2. The Plaintiff's social security complaint IS GRANTED IN  
17 PART, and the matter IS ORDERED remanded pursuant to sentence  
18 four of 42 U.S.C. § 405(g); and

19 3. The Clerk of Court IS DIRECTED to enter judgment for  
20 Plaintiff Pang Yang and against Defendant Michael J. Astrue.

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22 IT IS SO ORDERED.

23 Dated: January 22, 2009

24 /s/ Anthony W. Ishii  
25 CHIEF UNITED STATES DISTRICT JUDGE

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