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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MIGUEL A. MOLINA,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

1:08-cv-01473-AWI-SMS

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 21)

**ORDER GRANTING PLAINTIFF'S
SOCIAL SECURITY COMPLAINT**
(Doc. 1)

**ORDER REMANDING ACTION
PURSUANT TO SENTENCE FOUR**

**ORDER DIRECTING JUDGMENT
BE ENTERED FOR PLAINTIFF
AND AGAINST DEFENDANT**

Plaintiff is represented by counsel and seeks judicial review of an administrative decision of the Commissioner of Social Security denying, in whole or in part, Plaintiff's claim for benefits under the Social Security Act.

On January 11, 2010, the Magistrate Judge filed Findings and Recommendations herein which were served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty (30) days. To date, the parties have not filed objections to the Magistrate Judge's Findings and Recommendations.

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b) (1) (C) and Local Rule 305, this Court has conducted a de
3 novu review of this case. Having carefully reviewed the entire
4 file, the Court finds the Findings and Recommendations to be
5 supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed January 11,
8 2010, are ADOPTED IN FULL;

9 2. Plaintiff's social security complaint is GRANTED;

10 3. This action is REMANDED pursuant to sentence four of 42
11 U.S.C. § 405(g) for further consideration, consistent with this
12 decision, of Plaintiff's status as disabled, including whether or
13 not Plaintiff (a) suffered from a severe impairment or
14 impairments, (b) could perform any past relevant work and, (c) if
15 appropriate, whether, on the basis of Plaintiff's age, education,
16 work experience, and residual functional capacity, he could
17 perform any other gainful and substantial work within the
18 economy; and,

19 4. Judgment be ENTERED for Plaintiff and against
20 Defendant.

21
22 IT IS SO ORDERED.

23 **Dated: March 5, 2010**

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