

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

THOMAS DAVIS,

Plaintiff,

v.

CASE NO. 1:08-cv-00203-MP-WCS

MICHAEL J ASTRUE,

Defendant.

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**ORDER**

This matter is before the Court on Doc. 25, Report and Recommendation, regarding the Complaint filed by Thomas Davis. The Magistrate has recommended that the decision of the Commissioner to deny Plaintiff's Application for Social Security Benefits be Reversed and Remanded. The Commissioner has not objected to this Report and Recommendation, and the time for doing so has passed. Finding no plain error, it is accordingly

**ORDERED AND ADJUDGED:**

1. The Magistrate's Report and Recommendation, Doc. 25, is ADOPTED and incorporated herein.
2. The decision of the Commissioner denying benefits is REVERSED and REMANDED.

**DONE AND ORDERED** this 28th day of October, 2009

*s/Maurice M. Paul*

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Maurice M. Paul, Senior District Judge