

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

LEE DAVIS, III,

Plaintiff,

v.

CASE NO. 1:09-cv-00121-MP-WCS

MICHAEL J ASTRUE,

Defendant.

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ORDER

This matter is before the Court on Report and Recommendation, Doc. 20 regarding the Motion to Remand Filed by Michael J. Astrue, Doc. 19. Plaintiff does not oppose the requested remand under sentence four of 42 U.S.C. § 405(g). Accordingly, it is

ORDERED AND ADJUDGED:

1. The Magistrate Judge's Report and Recommendation, Doc. 20, is ADOPTED and incorporated herein.
2. Defendant's motion for entry of judgment and remand, Doc. 19, is GRANTED.
3. The Clerk is directed to enter final judgment REVERSING the Commissioner's decision to deny benefits, and REMANDING this case to the Commissioner for rehearing pursuant to sentence four of 42 U.S.C. § 405(g) for the purposes stated in Defendant's motion, Doc. 19.

DONE AND ORDERED this 9th day of February, 2010

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge