

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

BILLY J. VICKERS,  
Plaintiff,

vs.

Case No. 3:08cv78/MCR/EMT

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

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**ORDER**

This cause comes on for consideration upon the magistrate judge's report and recommendation dated February 6, 2009. (Doc. 23). The parties have been furnished a copy of the report and recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the report and recommendation, and any objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.
2. The decision of the Commissioner is **AFFIRMED**, this action is **DISMISSED**, and the clerk is directed to close the file.

**DONE AND ORDERED** this 18th day of March, 2009.

sl *M. Casey Rodgers*

**M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE**