

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

LARRY C. GRAY,
Plaintiff,

v.

Case No.: 3:08cv413/LAC/EMT

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

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated January 6, 2009 (Doc. 20). 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 objections filed.

Having considered the report and recommendation, and the timely filed objections thereto, 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 Commissioner's motion to remand (Doc. 15) is **GRANTED**.
3. This cause is **REMANDED** to the Commissioner of the Social Security Administration pursuant to sentence six of 42 U.S.C. § 405(g) for further administrative proceedings in accordance with the report and recommendation (Doc. 20). As the court retains jurisdiction of this case during the period of remand, judgment should not be entered at this time.

4. The Commissioner is required to advise the court of the status of these proceedings **SIXTY (60) DAYS** from the date of this order, and every forty-five (45) days thereafter.

5. The clerk is directed to administratively close this file.

DONE AND ORDERED this 23rd day of January, 2009.

s/L. A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE