

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

WILLIE JAMES MOORER, as
Personal Representative of
Alfonzo Golston, deceased,

Plaintiff,

v.

3:09cv461-WS/EMT

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed April 22, 2010. See Doc. 17. The magistrate judge recommends that the case be reversed and remanded to the Commissioner for further consideration.

Upon review of the record, this court has determined that the recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 15) is adopted and incorporated by reference in this order of the court.

2. The defendant's motion to remand (doc. 16) is GRANTED, and the Commissioner's decision is REVERSED pursuant to sentence four of 42 U.S.C. § 405(g).

3. This case shall be REMANDED to the Commissioner for further consideration as explained in the defendant's memorandum in support of his motion to remand.

4. The clerk shall enter judgment accordingly.

DONE AND ORDERED this 7th day of May, 2010.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE