

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

LORRIE R. HARRIS,  
Plaintiff,

vs.

CASE NO.: 3:10cv3/MCR/MD

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

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ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated October 5, 2010. The plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all 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 defendant's motion to remand (doc. 15) is GRANTED and the Commissioner's decision denying benefits is REVERSED.
3. This case is remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g).
4. The defendant is ordered to direct the Administrative Law Judge to reconsider the severity of plaintiff's migraine headaches and depression, set forth a function-by-function statement of plaintiff's residual functional capacity, cite the

support in the record for the ALJ's RFC findings, and include any such additional limitations as a result of his reconsideration.

5. The clerk is directed to enter judgment for plaintiff and close the file.

DONE AND ORDERED this 3rd day of November, 2010.

s/ M. Casey Rodgers  
M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE