

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

MARILYN Y. LEWIS,

Plaintiff,

v.

CASE NO. 4:08cv441-RH/WCS

MICHAEL J. ASTRUE,

Defendant.

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**ORDER REVERSING DENIAL OF BENEFITS
AND REMANDING FOR FURTHER PROCEEDINGS**

This case is before the court on the magistrate judge's report and recommendation (document 16). No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The Commissioner's decision denying the plaintiff's application for disability benefits is REVERSED. The case is REMANDED to the Commissioner for further proceedings consistent with the report and recommendation and this

order. The clerk must enter judgment and close the file.

SO ORDERED on October 6, 2009.

s/Robert L. Hinkle
United States District Judge