

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

GERTRUDE NELSON, o/b/o
B.R.L., a minor child,

Plaintiff,

v.

CASE NO.: 4:08cv535-SPM/WCS

MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration,

Defendant.

_____ /

ORDER

THIS CAUSE comes for consideration upon the magistrate judge's report and recommendation dated June 30, 2009 (doc. 18). Each party has been furnished a copy and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 18) is adopted and incorporated by reference in this order.

2. Defendant's motion for entry of judgment and remand (doc. 17) is granted.
3. The clerk shall enter final judgment reversing the Commissioner's decision to deny benefits.
4. The application is remanded to the Commissioner for rehearing pursuant to sentence four of 42 U.S.C. § 405(g).

DONE AND ORDERED this 5th day of August, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge