

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

JUDY ALDAY,

Plaintiff,

v.

CASE NO.: 5:08cv217-SPM/WCS

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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ORDER

THIS CAUSE comes before the court on the magistrate judge's report and recommendation dated January 9, 2009 (doc. 15). 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. 15) is adopted and incorporated by reference in this order.
2. The decision of the Commissioner to deny Plaintiff's application for

Social Security benefits is reversed. The Commissioner shall grant Plaintiff's application for benefits.

DONE AND ORDERED this 11th day of February, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
United States District Judge