

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

DEBORAH S. LYTLE,

Plaintiff,

vs.

CASE NO.: 5:08-cv-315-SPM-WCS

MICHAEL J. ASTRUE,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 23), which recommends that the Defendant's Unopposed Motion to Remand (doc. 22) be granted. Plaintiff 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, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 23) is ***adopted*** and incorporated by reference in this order.
2. The Clerk is directed to enter final judgment reversing the Commissioner's decision to deny benefits.
3. The Plaintiff's application is remanded to the Commissioner for

rehearing pursuant to sentence four of 42 U.S.C. § 405(g).

DONE AND ORDERED this second day of October, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge