

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

DOUGLAS R. OWNBY,

Plaintiff,

vs.

CASE NO. 5:09cv10/RS-EMT

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

_____ /

ORDER

Before me is the Magistrate Judges Report and Recommendation (Doc. 26). No objections have been filed.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Defendant's Motion to Remand (Doc. 24) 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).
3. Defendant is ordered to conduct proceedings in accordance with the Magistrate Judge's Report and Recommendation.
4. The court clerk is directed to enter final judgment pursuant to Fed. R. Civ. P. 58.

5. The clerk is directed to administratively close the file.

ORDERED on December 3, 2009.

/s/ Richard Smoak _____

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE