

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

BEVERLY WILSON O/B/O JM,

Plaintiff,

vs.

CASE NO.: 5:09-cv-20-SPM-EMT

MICHAEL J. ASTRUE,

Defendant.

\_\_\_\_\_ /

**ORDER ADOPTING REPORT AND RECOMMENDATION**

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 30). The Parties have been furnished copies and have 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. 30) is **adopted** and incorporated by reference in this order.
2. The Defendant's Motion to Remand (doc. 29) is hereby **granted**.
3. The Clerk is directed to enter final judgment reversing the Commissioner's denial of benefits, and the application is remanded to the Commissioner for rehearing pursuant to sentence four of 42

U.S.C. § 405(g).

DONE AND ORDERED this twenty-fourth day of February, 2010.

*s/ Stephan P. Mickle*

---

Stephan P. Mickle  
Chief United States District Judge