

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

DAVID A. PARKER,

Plaintiff,

vs.

CASE NO. 5:09cv189/RS-EMT

MICHAEL J. ASTRUE, Commissioner  
of Social Security Administration,

Defendant.

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**ORDER**

Before me is the Magistrate Judge's Report and Recommendation (Doc. 29). No objections have been filed.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. The decision of the Commissioner of Social Security is **reversed**. The Commissioner is ordered to remand this case to the Administrative Law Judge for further proceedings consistent with the Report and Recommendation.
3. The clerk is directed to enter judgment in favor of Plaintiff pursuant to sentence four of 42 U.S.C. §405(g) and to then close the file.
4. Plaintiff's Motion To Stay Proceedings Or Remand Pursuant To Sentence Six (Doc. 21) is denied as moot.

**ORDERED** on August 5, 2010.

/S/ Richard Smoak

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**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**