

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

SYLVIA C. MILLS,

Plaintiff,

vs.

CASE NO. 5:09cv362/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. 22). 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 Commissioner's Motion To Remand (Doc. 21) is granted, and the Commissioner's decision denying benefits is reversed.
3. This case is remanded to the Commission of Social Security pursuant to sentence four of 42 U.S.C. §405(g).
4. The Commissioner is ordered to direct the Administrative Law Judge to offer Plaintiff a new hearing, complete the administrative record as necessary, and issue a new decision, as set forth in the Report and Recommendation.

5. The clerk is directed to close the file.

**ORDERED** on October 14, 2010.

/S/ Richard Smoak

**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**