

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

MATTHEW LEE FOSTER,

Plaintiff,

v.

CASE NO. 5:10cv283-RH/CJK

MICHAEL ASTRUE,

Defendant.

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**ORDER REVERSING THE DENIAL OF BENEFITS**

This case is before the court on the magistrate judge's report and recommendation, ECF No. 13. No objections have been filed. Upon consideration,

**IT IS ORDERED:**

The report and recommendation is **ACCEPTED** and adopted as the court's opinion. The Commissioner's decision denying the plaintiff's application for disability benefits is **REVERSED**. The case is remanded to the Commissioner for

an award of benefits. The clerk must enter judgment and close the file. The court reserves jurisdiction to award attorney's fees and costs.

SO ORDERED on March 24, 2012.

s/Robert L. Hinkle  
United States District Judge