

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 07-21886-CIV-JORDAN

AURORA GUTIERREZ for Fernando)
Allande,)
)
Plaintiffs)
)
vs.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security)
)
Defendants)

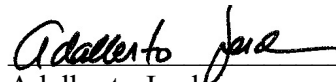
FINAL JUDGMENT

Upon a de novo review of the record, I adopt the report and recommendation issued by Magistrate Judge Dube [D.E. 20], to which there have been no objections. Accordingly, the plaintiff's motion for summary judgment [D.E. 12] is granted, and the defendant's motion for summary judgment [D.E. 19] is denied.

The ALJ's decision denying benefits to Fernando Allende is reversed, and the matter is remanded for a proper evaluation of the mental impairment issue.

This case is closed.

DONE and ORDERED in chambers in Miami, Florida, this 16th day of September, 2008.


 Adalberto Jordan
 United States District Judge

Copy to: Magistrate Judge Dube
All counsel of record