

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 09-21419-CIV-UNGARO

NAHAULA MALDONADO,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendants.

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**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

THIS CAUSE is before the Court upon Plaintiff's Motion for Leave to File Motion for Attorney's Fees (D.E. 23) and Plaintiff's Petition for Attorney's Fees (D.E. 24). The Honorable Robert L. Dube, United States Magistrate Judge has issued Report and Recommendations dated January 19, 2010 and February 2, 2010 (D.E. 26 & 29), recommending that Plaintiff's Motions be granted in part and Defendant's Motion be denied; and accordingly, that the decision of the Commissioner be reversed and remanded for further evaluation. The parties have failed to file objections to the Report. *See LoConte v. Dugger*, 847 F.2d 145 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988) (holding the failure to file timely objections bars the parties from attacking factual findings on appeal). The matter is ripe for disposition.

THIS COURT has made a *de novo* review of the entire file and record herein, and, being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that United States Magistrate Judge Dube's Report and Recommendations of (D.E. 26 & 29) are RATIFIED, AFFIRMED and ADOPTED. The Plaintiff's Motions (D.E. 23 & 24) are GRANTED in accordance therewith.

DONE AND ORDERED in Chambers at Miami, Florida, this 8th day of March, 2010.

A handwritten signature in cursive script, reading "Ursula Ungaro".

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URSULA UNGARO  
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record