Cavette v. Commissioner of Social Security Doc. 26

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
Urbana Division

JOYCE CAVETTE, o/b/a S.C., a minor,	)	
Plaintiff,	)	
v.	)	
	)	**Case No. 08-2271**
MICHAEL J. ASTRUE,	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
Defendant.	)	

ORDER

In February 2007, Administrative Law Judge (hereinafter "ALJ") Alice Jordan denied Plaintiff Joyce Cavette's application for supplemental security income on behalf of her daughter S.C., finding that S.C. was not disabled. In August 2008, the Appeals Council denied review, making the ALJ's decision the final decision of the Commissioner. In November 2008, Plaintiff filed a Complaint for Judicial Review (#3) of the final decision by the ALJ denying the application. The parties have consented to the exercise of jurisdiction by a United States Magistrate Judge.

In April 2009, Plaintiff filed a Motion for Summary Judgment or Remand (#16). In July 2009, Defendant filed a Motion for an Order Which Affirms the Commissioner's Decision (#21). In August 2009, Plaintiff filed a Reply To the Commissioner's Memorandum in Support of Motion for Summary Affirmance (#23).

After reviewing the administrative record and the parties' memoranda, this Court granted Plaintiff's Motion for Summary Judgment or Remand (#16). Consistent with the Court's reasoning in the Order granting Plaintiff's motion, the Court now **DENIES** Defendant's Motion for an Order Which Affirms the Commissioner's Decision **(#15)**.

ENTER this 15th day of March, 2010.

s/ DAVID G. BERNTHAL
U.S. MAGISTRATE JUDGE

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