

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS**

DALE PETERSEN,

Plaintiff,

v.

Case No: 08-2154-JWL-DWB

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

ORDER

On April 30, 2009, a Report and Recommendation (doc. 19) was issued by the Honorable Donald W. Bostwick, Magistrate Judge. The time in which to file objections has passed and to date no objections have been filed. The court has reviewed the Report and Recommendation and finds that it should be adopted.

IT IS THEREFORE ORDERED BY THE COURT that the Report and Recommendation (doc. 19) is adopted and the Commissioner's decision is AFFIRMED in accordance with the fourth sentence of 42 U.S.C. § 405(g).

Dated this 27th day of May, 2009, at Kansas City, Kansas.

s/ John W. Lungstrum
John W. Lungstrum
United States District Judge