

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT PADUCAH**

**JAMES TANNER**  
Plaintiff

v.

**No. 5:08CV-00208-J**

**MICHAEL ASTRUE**  
Commissioner of Social Security  
Defendant

**ORDER OF REMAND**

The magistrate judge has filed his report, and no objections thereto have been filed. The magistrate judge's report is hereby adopted, and its findings and conclusions are incorporated by reference herein.

Accordingly, it is hereby ORDERED that this case is REMANDED to the Commissioner of Social Security for calculation and payment of past-due Title II benefits.

The Clerk of Court shall enter a separate judgment as required by Fed.R.Civ.P. 58.

This is a final and appealable order, and there is no just cause for delay.