UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

MARK ELAM CIVIL ACTION

VERSUS NO: 11-2283

MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION

ORDER

The Court, after considering the complaint, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and finding that as of this date the parties have filed no objections to the Magistrate Judge's Report and Recommendation, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion. Accordingly,

IT IS ORDERED that (1) the motion of the defendant, Michael J. Astrue, Commissioner of Social Security Administration, to remand (Rec. doc. 22) is GRANTED; and (2) the action is reversed and remanded to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).

New Orleans, Louisiana, this 5th day of November, 2012.

UNITED STATES DISTRICT JUDGE

SECTION: "B"(1)