

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DEBORAH CHERRY

VERSUS

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL  
SECURITY

CIVIL ACTION

NO. 09-479-JJB-DLD

**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated April 8, 2010 (doc. no. 9).

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, this matter is REMANDED to the Commissioner, pursuant to the second clause of the sixth sentence of 42 U.S.C. § 405(g), for further administrative proceedings, including but not limited to, consideration by an administrative law judge of additional evidence and updating of the medical record, and the issuance of a new decision following full consideration of all of the evidence.

Baton Rouge, Louisiana, this 26<sup>th</sup> day of May, 2010.



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JAMES J. BRADY  
UNITED STATES DISTRICT JUDGE