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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

JARETH CARTER o/b/o
J.A.C.

CIVIL ACTION NO. 07-1731

VS.

JUDGE MELANÇON

MICHAEL J. ASTRUE
COMMISSIONER OF SOCIAL SECURITY

MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for her Report and Recommendation. After an independent review of the record and the applicable jurisprudence, and noting the absence of objection, this Court concludes that the Findings and Recommendation of the magistrate judge are correct and this Court adopts the conclusions set forth therein.

Accordingly, **IT IS ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REVERSED** and that benefits are awarded consistent with an onset date of January 27, 2004.¹

Lafayette, Louisiana this 1st day of May, 2009.



TUCKER L. MELANÇON
UNITED STATES DISTRICT JUDGE

¹ This constitutes a "final judgment" that triggers the filing period for an EAJA fee application. Shalala v. Schaeffer, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); Freeman v. Shalala, 2 F.3d 552 (5th Cir. 1993).