

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLENE M. HAMILTON,

Plaintiff,

Case no. 09-11553

Honorable John Corbett O'Meara

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant,

\_\_\_\_\_ /

ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

The Court, pursuant to 72(b) of the Federal Rules of Civil Procedure, 28 U. S. C. 636(b)(1)(B), and LR 72.1(b)(3), has reviewed Magistrate Judge R. Steven Whalen's March 31, 2010 report and recommendation as well as Defendant's objections filed April 14, 2010 and Plaintiff's response filed April 28, 2010. Upon review,

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment filed November 30, 2009 is DENIED and Plaintiff's motion for summary judgment filed August 31, 2009 is GRANTED, and this matter is REMANDED for an award of benefits, to be calculated from October 07, 2001.

s/John Corbett O'Meara

United States District Judge

Date: May 06, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 6, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager