

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sharon Halverson,

Civil No. 08-784 (JNE/SRN)

Plaintiff,

v.

ORDER

**Michael J. Astrue, Commissioner of
Social Security,**

Defendant.

Lionel H. Peabody, Esq., P.O. Box 10, Duluth, Minnesota 55801, for Plaintiff

Lonnie F. Bryan, Esq., Office of the United States Attorney, 300 South Fourth Street,
Minneapolis, Minnesota 55415, for Defendant

The above-entitled matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Doc. No. 12) is **DENIED** as to reversal but **GRANTED** as to remand;
2. Defendant's Motion for Summary Judgment (Doc. No. 19) is **DENIED**; and
3. This case is remanded to the Commissioner for further proceedings consistent with the Report and Recommendation.

Dated: January 26, 2009

s/ Joan N. Ericksen

JOAN N. ERICKSEN
United States District Court Judge