

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KELLIE BLISS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:09CV979 RWS
)	
MICHAEL J. ASTRUE,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on appeal from an adverse ruling of the Social Security Administration. The Court referred this matter to United States Magistrate Judge Mary Ann L. Medler for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b). On March 3, 2010, Judge Medler filed her recommendation that the Commissioner's motion to reverse and remand for further consideration pursuant to sentence four of 42 U.S.C. § 404(g) be granted.

Plaintiff objects to the Report and Recommendation. In her objections, plaintiff restates the argument raised before Judge Medler -- namely, that the remand should be granted for all the reasons set out in support of her complaint and not just to ensure that the HALLEX procedures are followed. I have conducted a de novo review, and after careful consideration I will adopt and


sustain the thorough reasoning of Magistrate Judge Medler. I agree with Judge Medler that the Court is not free to disregard the procedures set out in the HALLEX, even though plaintiff understandably seeks a disposition of this case as quickly as possible. For these reasons, I will overrule plaintiff's objections and adopt the Report and Recommendation issued by Judge Medler.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation issued by Magistrate Judge Mary Ann L. Medler on March 3, 2010 [#24] is adopted and sustained in its entirety.

IT IS FURTHER ORDERED that defendant's motion to remand [#22] is granted, and this case is reversed and remanded to the Commissioner of Social Security for further consideration pursuant to sentence four of 42 U.S.C. § 404(g).

A separate Judgment in accordance with this Memorandum and Order is entered this same date.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 16th day of March, 2010.