

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

LUCRETIA BURKARD,

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Civil No. 09-1073-PK

Defendant.

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HAGGERTY, District Judge:

Magistrate Judge Papak referred to this court a Findings and Recommendation [22] in this matter. The Magistrate Judge recommends reversing the Commissioner's decision denying plaintiff's application for Disability Insurance Benefits (DIB), and remanding for a determination of benefits.

No objections were filed, and the case was referred to this court. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate Judge. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

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No clear error appears on the face of the record. This court adopts the Findings and Recommendation in its entirety.

**CONCLUSION**

The court adopts the Findings and Recommendation [22]. The Commissioner's decision denying plaintiff Lucretia Burkard's application for DIB is reversed, and this matter is remanded for the immediate calculation of benefits.

IT IS SO ORDERED.

DATED this 7 day of February, 2011.

/s/ Ancer L. Haggerty  
Ancer L. Haggerty  
United States District Judge