

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LUKE VANCE

CIVIL ACTION

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

NO. 09-0070

FILED

JAN 25 2010

MICHAEL E. KUNZ, Clerk
By _____ **Dep. Clerk**

ORDER

AND NOW, this 25 day of JAN, 2010, ~~2009~~ upon

consideration of Plaintiff's Motion for Summary Judgment or, In the Alternative, Plaintiff's Motion for Remand, and Defendant Commissioner's Response to Plaintiff's Request for Review, and after review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion is GRANTED insofar as plaintiff requests a remand;
3. The matter is REMANDED to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo.

BY THE COURT:



BERLE M. SCHILLER, J.