

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

PETER D. DAVIS

v.

MICHAEL J. ASTRUE  
Commissioner of Social  
Security Administration

: CIVIL ACTION

: NO. 09-6001

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FILED

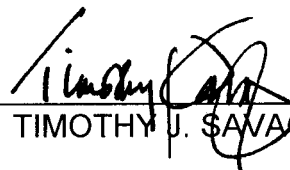
DEC 29 2010

MICHAEL KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

**AND NOW**, this 23rd day of December, 2010, upon consideration of the plaintiff's Complaint requesting review (Document No. 1), the defendant's answer to the complaint (Document No. 8), defendant's response to request for review (Document No. 12), the Report and Recommendation of United States Magistrate Judge Henry S. Perkin (Document No. 14), the lack of any objection to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The Magistrate Judge's Report is **APPROVED** and the Recommendation is **ADOPTED**;
2. The plaintiff's Request for Review is **GRANTED IN PART** and **DENIED IN PART**; and
3. Pursuant to the fourth sentence of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation.

  
TIMOTHY J. SAVAGE, J.