

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

JOEL S. PERRY : CIVIL ACTION

v. :

MICHAEL J. ASTRUE, :  
COMMISSIONER OF SOCIAL :  
SECURITY ADMINISTRATION : NO. 10-1179

**ORDER**

AND NOW, this <sup>17<sup>th</sup></sup> day of ~~December~~, 2010, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review and defendant's unopposed Motion to Remand, and after review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED**

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Defendant's unopposed motion to remand is GRANTED, the decision of the Commissioner of the Social Security Administration is REVERSED, and the matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation.
3. Judgment is entered in favor of plaintiff, reversing the decision of the Commissioner for the purpose of this remand only.

BY THE COURT:

  
C. DARNELL JONES, II, J.