

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

JUAN ANTONIO MACHIN,

Plaintiff

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant

CIVIL ACTION

NO. 10-2811

FILED

APR 28 2011

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 27th day of April, 2011, upon consideration of Plaintiff's Motion for Summary Judgment (Docket No. 7) filed October 5, 2010; upon consideration of Defendant's Response to Request for Review of Plaintiff (Docket No. 10) filed November 8, 2010; and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. JUDGMENT IS ENTERED REVERSING THE DECISION OF THE COMMISSIONER OF SOCIAL SECURITY for the purposes of this remand only and the relief sought by Plaintiff is GRANTED to the extent that the matter is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) and in accordance with the Report and Recommendation;

3. In all other respects, Plaintiff's motion for summary judgment is DENIED; and

4. The Clerk of Court shall CLOSE this matter statistically.

BY THE COURT:



J. Curtis Joyner

J. CURTIS JOYNER, J.