

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

PETER B. LUTEK : CIVIL ACTION  
v. :  
MICHAEL J. ASTRUE, :  
Commissioner of Social Security :  
Administration : NO. 11-3746

FILED  
MAY 30 2012  
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

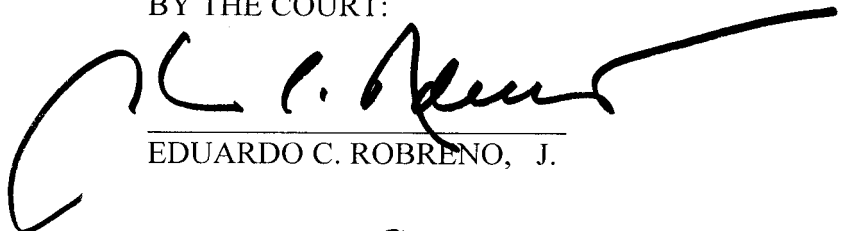
ORDER

AND NOW, this 29 day of May, 2012, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review, defendant's Response to Request for Review of Plaintiff, and Plaintiff's Reply, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED** that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Plaintiff's Request for Review is GRANTED, and the decision of the Commissioner of the Social Security Administration is REVERSED to the extent that the matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with United States Magistrate Judge Thomas J. Rueter's 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:

  
EDUARDO C. ROBRENO, J.

① No opposition by the Commissioner.