
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

DAVID D. STURGAL,

Plaintiff,

*versus*MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 1:09-CV-388

**MEMORANDUM OPINION ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The Court heretofore ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. The Court has received and considered the Report of the United States Magistrate Judge pursuant to such order, along with the record and pleadings. Neither party objects.

The court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct and the Report of the United States Magistrate Judge is ADOPTED. A Final Judgment will be entered separately, remanding this action to the Commissioner for rehearing under the fourth sentence of 42 U.S.C. § 405(g).

SIGNED at Sherman, Texas, this 17th day of February, 2010.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE