

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF KANSAS

EDWARD S. MONEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 06-1348-WEB
)	
MICHAEL J. ASTRUE,)	
Commissioner of)	
Social Security.)	
)	
Defendant.)	

ORDER ADOPTING RECOMMENDATION AND REPORT

Now before the court is the review of the final decision of the Commissioner of Social Security denying Edward S. Money disability insurance benefits and supplemental security income payments. The matter was referred to the Magistrate Judge for a recommendation and report pursuant to Rule 72 (b), Federal Rules of Civil Procedure. The Recommendation and Report was filed on August 3, 2007. Neither party filed an objection to the Report.

The Magistrate Judge determined the Administrative Law Judge (ALJ) erred in his credibility analysis. The ALJ did not accurately report MRI test findings, did not give sufficient weight to the medical testimony, and discounted the evidence of pain and the plaintiff's allegations of pain. The Report and Recommendation also stressed the ALJ's findings were not supported by substantial evidence. The ALJ rejected opinions by medical witnesses, and did not clearly indicate what evidence he relied on in making his findings.

The record supports the findings of the Magistrate Judge and his legal conclusions. It is therefore ORDERED that the decision of the Commissioner be REVERSED, and that the case be REMANDED for further proceedings (sentence four remand) for the reasons set forth in the

Magistrate Judge's Recommendation and Report.

The Clerk of the Court is directed to enter Judgment accordingly.

SO ORDERED this 11th day of September, 2007.

s/Wesley E. Brown
Wesley E. Brown
U.S. Senior District Judge