

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CHRISTY L. ELLIOTT,

Plaintiff,

vs.

**MICHAEL J. ASTRUE,¹
COMMISSIONER OF
SOCIAL SECURITY,**

Defendant.

Defendant.

Case No. 06-2423-JAR

ORDER ADOPTING RECOMMENDATION AND REPORT

Ten days having passed, and no written objections being filed to the proposed findings and recommendations filed by Magistrate Judge John Thomas Reid, and after a de novo determination upon the record pursuant to Fed. R. Civ. P. 72(b), the Court accepts the recommended decision and adopts it as its own.

IT IS THEREFORE ORDERED that the decision of the Commissioner be reversed, and that the case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g), for further proceedings in accordance with the August 14, 2007 Recommendation and Report (Doc. 17).

IT IS SO ORDERED.

Dated this 30th day of August, 2007.

¹In February 2007, Michael J. Astrue was sworn in as the new Commissioner of the Social Security Administration. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue is substituted for Commissioner Jo Anne B. Barnhart as the defendant in this suit.

S/ Julie A. Robinson
Julie A. Robinson
United States District Judge