

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

**JULIE TOMBERLIN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

**CIVIL ACTION**

**No. 07-2592-KHV**

**ORDER**

Julie Tomberlin appeals the final decision of the Commissioner of Social Security to deny supplemental security income. On December 16, 2008, Magistrate Judge Donald W. Bostwick recommended that the Commissioner's decision be reversed and that this case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings. See Report And Recommendation (Doc. #16). The deadline for written objections to Judge Bostwick's Report and Recommendation was December 31, 2008. The parties have not objected. For this reason, and for good cause shown, the Court adopts the Report And Recommendation (Doc. #16) in its entirety.

**IT IS THEREFORE ORDERED** that the Commissioner's decision be and hereby is **REVERSED**. This case is **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report And Recommendation (Doc. #16).

Dated this 16th day of January, 2009 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge