IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

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Plaintiff,

vs.

Case No. 08-1356-JTM

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

ORDER

On December 11, 2009, the United States Magistrate Judge entered a Recommendation and Report with respect to the present proceeding. The Magistrate Judge recommended that the decision of the Commissioner be affirmed.

No objection to the Recommendation and Report has been filed. Accordingly, the court hereby adopts the findings and conclusions of the report, and finds that the decision of the Commissioner be affirmed.

IT IS SO ORDERED this 8th day of January, 2010.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE