

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JAMES D. BLANTON,

Plaintiff,

Vs.

No. 08-4010-SAC

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**MEMORANDUM AND ORDER**

The court referred this administrative appeal to the United States Magistrate Judge for report and recommendation. The Magistrate Judge filed a report and recommendation on September 23, 2008, clearly stating the parties' right to file written objections to the recommendation within ten days. Ten days have passed and no written objections have been filed in accordance with 28 U.S.C. § 636(b)(1).

The court has reviewed the report and recommendation, as well as the relevant pleadings in this case. Based upon this review and the absence of any filed objections, the court accepts the report and recommendation and adopts it as the ruling of this court, reversing and remanding this case pursuant to sentence four

for further proceedings.

IT IS SO ORDERED.

Dated this 15<sup>th</sup> day of October, 2008, at Topeka, Kansas.

s/ Sam A. Crow  
Sam A. Crow, U.S. District Senior Judge