

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

DALE KINGSBURY,)	
)	
)	
vs.)	Case No. 08-4014-JAR
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
	Defendant.	
	Defendant.	
_____)	

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 October 21, 2008 Recommendation and Report (Doc. 17).

IT IS SO ORDERED.

Dated this 5th day of November, 2008.

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

