IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

ROBERT DOWNING,	Plaintiff,)	
vs.)	Case No. 08-4029-JAR
MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY,)))	
,	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 November 4, 2008 Recommendation and Report (Doc. 15).

IT IS SO ORDERED.

Dated this 20th day of November 2008.

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