

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RICHARD S. PRENTICE,
Plaintiff

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,
Defendant

Civil No. 02-184-P-C

**ORDER AFFIRMING THE RECOMMENDED
DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on March 3, 2003, with copies to counsel, his Recommended Decision on Defendant's Motion for Entry of Judgment and Remand (Docket Item No. 6) in the above-entitled matter; and the time for filing objections thereto having expired without any objections having been filed; *see* 28 U.S.C. § 636(b)(1); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and this Court concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

- (2) The Motion to Remand is hereby **GRANTED**.
- (3) The decision of the Commissioner is hereby **VACATED**, and this case is hereby **REMANDED** for proceedings not inconsistent with the Magistrate Judge's Recommended Decision.

GENE CARTER
Senior District Judge

Dated at Portland, Maine this 4th day of April, 2003.

Plaintiff

RICHARD S PRENTICE

represented by **DANIEL W. EMERY**
36 YARMOUTH CROSSING DR
P.O. BOX 670
YARMOUTH, ME 04096
(207) 846-0989
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

represented by **EVAN ROTH**
OFFICE OF THE U.S. ATTORNEY
P.O. BOX 9718
PORTLAND, ME 04104-5018
(207) 780-3257

JAMES M. MOORE
U.S. ATTORNEY'S OFFICE
P.O. BOX 2460
BANGOR, ME 04402-2460
945-0344
LEAD ATTORNEY
ATTORNEY TO BE NOTICED