

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MELINDA AVERILL,)
)
 PLAINTIFF)
)
v.)
)
MICHAEL J. ASTRUE,)
COMMISSIONER OF SOCIAL SECURITY,)
)
 DEFENDANT)

CIVIL No. 09-445-P-H

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

The United States Magistrate Judge filed with the court on July 16, 2010, with copies to counsel, his Report and Recommended Decision. The plaintiff filed her objection to the Magistrate Judge’s Recommended Decision on August 2, 2010. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The decision of the Commissioner is **AFFIRMED**.

So ORDERED.

DATED THIS 9TH DAY OF SEPTEMBER, 2010

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET NO. 2:09cv445 (DBH)**

Melinda Averill,

Plaintiff

Represented By **Francis Jackson**

Jackson & MacNichol
238 Western Avenue
South Portland, ME 04106
(207) 772-9000
email: fmj@jackson-macnichol.com

v.

**Michael J. Astrue, Commissioner,
Social Security Administration,**

Defendant

Represented By **Joseph Dunn**

Special Ass't U.S. Attorney
Office of General Counsel, Region I
Social Security Administration
JFK Federal Building, Room 625
Boston, MA 02203-0002
(617) 565-4275
email: joe.dunn@ssa.gov