

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>MONTE SMITH,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 2:12-cv-07-DBH</b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	)	
	)	
<b>DEFENDANT</b>	)	

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

On August 29, 2012, the United States Magistrate Judge filed with the court, with copies to counsel, his Report and Recommended Decision. The plaintiff filed his objection to the Magistrate Judge’s Recommended Decision on September 17, 2012. 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 motion to remand is **GRANTED**. The plaintiff shall receive a full *de novo* hearing on remand, as the Commissioner’s counsel

has agreed. Def.'s Reply to Pl.'s Objection to Recommended Dec. to Remand at 2 (ECF No. 18).

**SO ORDERED.**

**DATED THIS 9<sup>TH</sup> DAY OF OCTOBER, 2012**

/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE (PORTLAND)  
CIVIL DOCKET NO. 2:12-CV-07-DBH**

**Monte Smith,**

**Plaintiff**

Represented By **Daniel W. Emery**

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**v.**

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

**Defendant**

Represented By **Luis A. Pere**

**Jason W. Valencia**

**Matthew J. Del Mastro**

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