

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RAMON NIEVES, JR.,)
Plaintiff,)
v.) Civil No. 03-144-P-S
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant)

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

No objections having been filed to the Magistrate Judge's Recommended Decision filed March 3, 2004, the Recommended Decision is accepted.

Accordingly, it is ORDERED that the Commissioner's Decision as to the Plaintiff's claim for childhood disability benefits is AFFIRMED. The Commissioner's Decision as to the Plaintiff's claim for SSI benefits is VACATED and REMANDED with instructions to reinstate the SSI benefits awarded to the Plaintiff by the Commissioner's Decision on his application filed on July 29, 1994 as of the date on which the Commissioner was presented with the document that appears in the record at page 133.

/s/ George Z. Singal
Chief United States District Judge

Dated this 25th day of March, 2004.

RAMON NIEVES

represented by **FRANCIS JACKSON**
JACKSON & MACNICHOL
85 INDIA STREET
P.O. BOX 17713
PORTLAND, ME 04112-8713

207-772-9000

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

represented by **ESKUNDER BOYD**
SOCIAL SECURITY
ADMINISTRATION
OFFICE OF GENERAL
COUNSEL, REGION I
625 J.F.K. FEDERAL BUILDING
BOSTON, MA 02203
617/565-4277

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