

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

BEVERLY M. LEARY, )  
)  
Plaintiff, )  
)  
v. ) Civil No. 04-98-W  
)  
JO ANNE B. BARNHART, )  
)  
Commissioner of Social Security, )  
)  
Defendant. )

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

No objections having been filed to the Magistrate Judge's Recommended Decision filed December 13, 2004, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Commissioner's decision be and hereby is VACATED and the case REMANDED for further proceedings.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 4th day of January, 2005.

**Plaintiff**

**BEVERLY M LEARY**

represented by **MURROUGH H. O'BRIEN**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**SOCIAL SECURITY  
ADMINISTRATION  
COMMISSIONER**

represented by **SUSAN B. DONAHUE**  
SOCIAL SECURITY  
ADMINISTRATION  
OFFICE OF GENERAL  
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