

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

TONYA J. CARTER,)
)
Plaintiff,)
)
v.) Civil No. 05-38-B-W
)
JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
)
Defendant.)

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

The United States Magistrate Judge filed with the Court on November 30, 2005 his Recommended Decision. The Defendant filed her objections to the Recommended Decision on December 16, 2005 and the Plaintiff filed her response to those objections on December 19, 2005. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.

2. It is further ORDERED that the Commissioner's decision is VACATED and the case REMANDED for further proceedings.

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

Dated this 19th day of December, 2005

Plaintiff

TONYA J CARTER

represented by **DANIEL W. EMERY**
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V.

Defendant

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

represented by **ESKUNDER BOYD**
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