

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

KENNETH STAPLES, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil No. 08-200-B-W  
 )  
 MICHAEL J. ASTRUE, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

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

No objection having been filed to the Magistrate Judge's Recommended Decision filed January 29, 2009, the Recommended Decision is accepted.

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

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

Dated this 19th day of February, 2009

**Plaintiff**

**KENNETH STAPLES**

represented by **FRANCIS JACKSON**  
JACKSON & MACNICHOL  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**SOCIAL SECURITY  
ADMINISTRATION  
COMMISSIONER**

represented by **JOSEPH DUNN**  
JFK FEDERAL BUILDING  
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**Interested Party**

**SOCIAL SECURITY  
ADMINISTRATION**