

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

| | | |
|----------------------------------|---|----------------------|
| MARK KRESGE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 09-248-B-W |
| |) | |
| MICHAEL J. ASTRUE, |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

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

The United States Magistrate Judge filed with the Court on May 18, 2010 his Recommended Decision (Docket # 17). The Defendant filed his objections to the Recommended Decision on June 4, 2010 (Docket # 18) and the Plaintiff filed his response to those objections on June 21, 2010 (Docket # 19). 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.

SO ORDERED.

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

Dated this 22nd day of June, 2010

Plaintiff

MARK KRESGE

represented by **FRANCIS JACKSON**
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V.

Defendant

**SOCIAL SECURITY
ADMINISTRATION
COMMISSIONER**

represented by **DINO L. TRUBIANO**
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Interested Party

**SOCIAL SECURITY
ADMINISTRATION**