



## **Tina Marie Howland v. Michael Astrue**

2011 | Cited 0 times | D. Minnesota | February 8, 2011

### **AMENDED ORDER ADOPTING REPORT AND RECOMMENDATION**

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated January 14, 2011 [Docket No. 12]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, IT IS HEREBY ORDERED that:

1. Defendant's Motion for Summary Judgment [Docket No. 9] is DENIED; and
2. Plaintiff's Motion for Summary Judgment [Docket No. 6] is GRANTED, in part, and DENIED, in part, as follows:
  - a. The decision of Administrative Law Judge William G. Brown dated April 23, 2009 is REVERSED.
  - b. This matter is REMANDED to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the opinion of Magistrate Judge Noel.
  - c. The motion is DENIED in all other respects. LET JUDGMENT BE ENTERED ACCORDINGLY.

at Minneapolis, Minnesota

