

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

ELSA FONTANEZ

v.

CA 07-043 ML

MICHAEL J. ASTRUE  
Commissioner of the Social  
Security Administration

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Almond on December 10, 2007. Neither party has filed a timely objection.

This Court, therefore, adopts the Report and Recommendation. The Commissioner's Motion for an Order Affirming the Decision of the Commissioner is DENIED. Plaintiff's Motion to Reverse Without a Remand for Rehearing is GRANTED.

SO ORDERED:



Mary M. Lisi  
Chief United States District Judge  
January 2, 2008