

AUG 13 2008

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ALFRED BRACKENBURY,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant - Appellee.

No. 06-35283

D.C. No. CV-05-00155-MO  
District of Oregon,  
Portland

ORDER AMENDING  
MEMORANDUM AND  
DENYING PETITION FOR  
REHEARING

Before: RYMER, T.G. NELSON, and PAEZ, Circuit Judges.

The memorandum disposition filed February 27, 2008, is amended as follows:

Page 4, delete footnote 1.

Page 5, following first full paragraph and preceding second full paragraph, insert new paragraph to read “However, the ALJ did not address whether fine motor limitations reflected in the Blankenship evaluation affect the analysis. For this reason only, we remand so that the effect, if any, may be considered.”

Page 5, the mandate line should be amended to read: “AFFIRMED IN PART; REMANDED IN PART.”

With the above amendments, the panel has voted to deny appellant's petition for rehearing. The petition for rehearing en banc is DENIED. No further petitions for rehearing will be entertained.