

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 12-cv-00155-PAB

DANIEL J. BABNIK,

Plaintiff,

v.

CAROLYN W. COLVIN, Commissioner of Social Security,

Defendant.¹

FINAL JUDGMENT

In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the Order [Docket No. 16] of Judge Philip A. Brimmer entered on March 26, 2013 it is

ORDERED that the decision of the Commissioner that Plaintiff was not disabled is **REVERSED** and **REMANDED** for further proceedings consistent with the Court's opinion. It is

FURTHER ORDERED that judgment shall enter in favor of the Plaintiff and against the Defendant. It is

FURTHER ORDERED that the Plaintiff is **AWARDED** costs, to be taxed by the Clerk of the Court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

¹ Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin, who as of Feb. 14, 2013 has been named as the Acting Commissioner, is automatically substituted for Michael J. Astrue as the defendant in this suit.

DATED at Denver, Colorado, this 27th day of March, 2013.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler
Edward P. Butler
Deputy Clerk