

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

<p>JAMES C. CLAUSELL,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>vs.</p> <p>MICHAEL J. ASTRUE, Commissioner of Social Security,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>*</p>	<p style="text-align: center;">* CIVIL ACTION 11-00202-B</p>
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JUDGMENT NUNC PRO TUNC

In accordance with the Court’s Order entered on August 8, 2012 (Doc. 18), it is hereby **ORDERED, ADJUDGED, AND DECREED** that the decision of the Commissioner of Social Security denying claimant benefits be **REVERSED and REMANDED**. This Judgment is effective, *nunc pro tunc*, to August 8, 2012, the date of the afore-mentioned Order reversing and remanding the Commissioner’s denial of benefits in this case.¹ (Doc. 18)

¹ The Court hereby corrects, *nunc pro tunc*, the inadvertent omission of the entry of a Judgment in this action related to the Court’s Order of August 8, 2012. (Doc. 18). Under Federal Rule of Civil Procedure 60(a), “[t]he court may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record.” “The court may do so on motion or on its own, with or without notice.” *Id.*; see also *Robinson v. Worthington*, 544 F. Supp. 956, 960 (M.D. Ala. 1982) (“The failure of this Court to properly construe the notice of dismissal as a motion and the resulting omission from the record of an order of dismissal or of an order effectuating the amendment is, in the

DONE this **21st** day of **November, 2012.**

 /s/ Sonja F. Bivins
UNITED STATES MAGISTRATE JUDGE

opinion of this Court, an error in 'the record . . . arising from oversight or omission' which may be corrected by the Court," *nunc pro tunc*, under Federal Rule of Civil Procedure 60(a)).