

**E-FILED**Thursday, 15 July, 2010 02:24:29 PM  
Clerk, U.S. District Court, ILCD**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
Urbana Division**

<b>RICHARD E. TOLLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>Case No. 09-2019</b>
<b>MICHAEL J. ASTRUE,</b>	)	
	)	
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	)	
	)	
<b>Defendant.</b>	)	

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**ORDER**

In February 2008, Administrative Law Judge (hereinafter "ALJ") David Thompson denied Plaintiff Richard Tolley's application for social security benefits. ALJ Thompson based his decision on findings that Plaintiff was not disabled within the meaning of the Social Security Act and that he was capable of performing a significant number of jobs available in the national economy.

In February 2009, Plaintiff filed a Complaint for Judicial Review (#5) against Defendant Michael Astrue, Commissioner of Social Security, seeking review of the ALJ's decision to deny social security benefits. In June 2009, Plaintiff filed a Motion for Summary Judgment or Remand (#14). In August 2009, Defendant filed a Motion for an Order Which Affirms the Commissioner's Decision (#17).

After reviewing the administrative record and the parties' memoranda, this Court denied Plaintiff's Motion for Summary Judgment or Remand (#14). Consistent with the Court's reasoning in the Order denying Plaintiff's motion, the Court now **GRANTS** Defendant's Motion for an Order Which Affirms the Commissioner's Decision (#17). This case is terminated.

ENTER this 15th day of July, 2010.

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s/ DAVID G. BERNTHAL  
U.S. MAGISTRATE JUDGE