UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

JAMES J. DEELEY

vs.

CASE NUMBER: 6:08-CV-448 (FJS)

MICHAEL J. ASTRUE, Commissioner of Social Security

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's Motion for Judgment on the Pleadings is DENIED, that Defendant's Motion for Judgment on the Pleadings is GRANTED, and it is further Ordered that the Commissioner's decision is AFFIRMED and the Complaint filed by James J. Deeley is DISMISSED.

All of the above pursuant to the Memorandum-Decision & Order of the Honorable Senior Judge Frederick J. Scullin, Jr., dated the 3rd day of February, 2011.

DATED: February 4, 2011

Clerk of Court

s/

Joanne Bleskoski Deputy Clerk