

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

JULIUS LORENZO KELLEY, SR.,)
)
)
 Plaintiff,)
)
 v.)
)
)
)
 MICHAEL J. ASTRUE,)
 Commissioner of Social Security,)
)
)
 Defendant.)

JUDGMENT

No. 4:11-CV-76-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the defendant’s motion to dismiss plaintiff’s complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and the memorandum and recommendation entered by the United States Magistrate Judge, to which no objections were filed.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court’s order entered December 30, 2011, and for the reasons set forth more specifically with the memorandum and recommendation, that defendant’s motion to dismiss plaintiff’s complaint is granted. Plaintiff shall have and recover nothing of defendant.

This Judgment Filed and Entered on December 30, 2011, and Copies To:

Julius Lorenzo Kelley, Sr. (via U.S. Mail) 802 E. Bright Street
Apartment # 27B, Kinston, NC 28501
Dennis R. Foley (via CM/ECF Notice of Electronic Filing)

December 30, 2011

DENNIS P. IAVARONE, CLERK
/s/ Christa N. Baker
(By) Christa N. Baker, Deputy Clerk