

AO 450 (Rev. 5/85)

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# United States District Court

## EASTERN DISTRICT OF NORTH CAROLINA

### WESTERN DIVISION

GWENDOLYN FLOYD,	)	
Plaintiff,	)	
	)	
v.	)	
	)	
	)	<b>JUDGMENT IN A CIVIL CASE</b>
MICHAEL J. ASTRUE, Commissioner of Social Security,	)	<b>CASE NO. 5:09-CV-323-D</b>
Defendant.	)	

**Decision by the Court.**

IT IS ORDERED AND ADJUDGED that the court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. Plaintiff’s motion for judgment on the pleadings [D.E. 13] is GRANTED, defendant’s motion for judgment on the pleadings is DENIED [D.E. 17], and the action is REMANDED to the Commissioner for proceedings consistent with this order.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **June 8, 2010**, AND A COPY MAILED TO:

Vaughn Stephen Clauson, (via CM/ECF Notice of Electronic Filing)  
 Eileen A. Farner (via CM/ECF Notice of Electronic Filing)

June 8, 2010  
 Date

DENNIS IAVARONE, Clerk  
*Eastern District of North Carolina*

*Raleigh, North Carolina*

/s/ Debby Sawyer  
*(By) Deputy Clerk*