

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

EUGENE WALLACE,)
)
)
Plaintiff,)
)
v.)
)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

JUDGMENT

No. 5:09-CV-349-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the parties' cross-motions for judgment on the pleadings and the memorandum and recommendation entered by the United States Magistrate Judge.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered June 21, 2010, that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. This matter is remanded to the Commissioner for further proceedings consistent with the court's order.

This Judgment Filed and Entered on June 23, 2010, and Copies To:

- Diane S. Griffin (via CM/ECF Notice of Electronic Filing)
- Jay C. Hinsley (via CM/ECF Notice of Electronic Filing)
- R.A. Renfer, Jr. (via CM/ECF Notice of Electronic Filing)

June 23, 2010

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