

AO 450 (Rev. 5/85)

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**United States District Court**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

KENNETH F. SMITH, )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 CAROLYN W. COLVIN, )  
 Acting Commissioner of Social Security, )  
 Defendant. )

**JUDGMENT**  
**CASE NO. 5:12-CV-439-D**

Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that Plaintiff’s Motion for Judgment on the Pleadings [D.E. 24] is **DENIED**, Defendant’s Motion for Judgment on the Pleadings [D.E. 29] is **GRANTED**, Defendant’s final decision is **AFFIRMED**, and this action is **DISMISSED**. The clerk shall close the case.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **SEPTEMBER 4, 2013**, WITH A COPY TO:

Ashley Renee Maxwell (via CM/ECF electronic notification)  
Mark J. Goldenberg (via CM/ECF electronic notification)

September 4, 2013  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina