

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

RODOLFO DIAZ MARQUEZ, )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 )  
 CAROLYN W. COLVIN, )  
 Acting Commissioner of Social Security, )  
 )  
 Defendant. )

**JUDGMENT**  
No. 5:12-CV-802-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, 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, to which plaintiff timely filed objections.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered March 31, 2014, and for the reasons set forth more specifically therein, that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. The final decision of the defendant is vacated and the matter is remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration in accordance with the court's order.

**This Judgment Filed and Entered on April 1, 2014, and Copies To:**

Frederick W. Fleming (via CM/ECF Notice of Electronic Filing)  
Lisa M. Rayo (via CM/ECF Notice of Electronic Filing)

April 1, 2014

JULIE A. RICHARDS, CLERK  
/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk