

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

KIMBERLY ANN AUSTON, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 NANCY A. BERRYHILL, Acting Commissioner )  
 of Social Security, )  
 Defendant. )

**JUDGMENT IN A CIVIL CASE**

**CASE NO. 7:16-CV-120-D**

**Decision by Court.**

This action came before this Court for ruling as follows.

**IT IS ORDERED, ADJUDGED, AND DECREED** that the court adopts the conclusions in the M&R [D.E. 24]. Plaintiff's motion for judgment on the pleadings [D.E. 19] is DENIED, defendant's motion for judgment on the pleadings [D.E. 21] is GRANTED, defendant's final decision is AFFIRMED, and this action is DISMISSED.

**This Judgment Filed and Entered on August 22, 2017, and Copies To:**

Monica Rathke Savidge (via CM/ECF electronic notification)  
Stephen F. Dmetruk, Jr. (via CM/ECF electronic notification)

DATE:  
August 22, 2017

PETER A. MOORE, JR., CLERK  
(By) /s/ Nicole Briggeman  
Deputy Clerk