

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

LEATHA ANN SMITH, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 NANCY A. BERRYHILL, Acting Commissioner )  
 of Social Security, )  
 Defendant. )

**JUDGMENT IN A CIVIL CASE**

**CASE NO. 7:17-CV-139-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. 23]. Plaintiff's motion for judgment on the pleadings [D.E. 17] is GRANTED, defendant's motion for judgment on the pleadings [D.E. 20] is DENIED, and the action is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g).

**This Judgment Filed and Entered on August 9, 2018, and Copies To:**

H. Clifton Hester (via CM/ECF electronic notification)  
Lisa M Rayo (via CM/ECF electronic notification)

DATE:  
August 9, 2018

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