

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:09cv355

JAMES L. GANN,)
)
 Plaintiff,)
)
 vs.)
)
 MICHAEL J. ASTRUE,)
 COMMISSIONER OF SOCIAL)
 SECURITY,)
)
 Defendant.)
 _____)

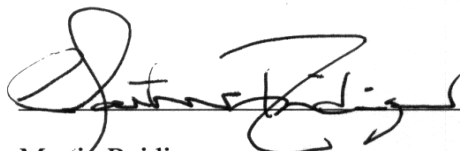
J U D G M E N T

For the reasons set forth in the Order filed herewith,

IT IS, THEREFORE, ORDERED that the Magistrate Judge’s Memorandum & Recommendation is **ACCEPTED**; Plaintiff’s Motion for Summary Judgment is **DENIED**; the Defendant’s Motion for Summary Judgment is **GRANTED**; and the Commissioner’s decision is hereby **AFFIRMED**.

This case is hereby **DISMISSED WITH PREJUDICE**.

Signed: September 25, 2010


Martin Reidinger
United States District Judge 