

**AO 450 (Rev. 5/85) Judgment in a Civil Case

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

BRIAN F. DRAKE,

Plaintiff,

vs.

Civil Action 2:07-CV-1084

Judge Marbley

Magistrate Judge King

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

Decision by Court. This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the February 26, 2009 Order, the Report and Recommendation is **ADOPTED** and **AFFIRMED**. The decision of the Commissioner is **REVERSED** and this action is hereby **REMANDED** to the Commissioner of Social Security for further proceedings. Final Judgment entered pursuant to Sentence 4 of 42 U.S.C. § 405(g).

Date: February 26, 2009

James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk