UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

Plaintiff,

vs.

Civil Action 2:08-CV-1005 Judge Marbley Magistrate Judge King

MICHAEL J. ASTRUE, 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.
- [X] **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the January 27, 2009 Order, Plaintiff's motion to dismiss is hereby GRANTED. This action is hereby DISMISSED.

Date: January 27, 2009 James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk