

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

JUN 30 2011

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

JAMES A. LESTER,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

)
)
) Case No. 1:10CV00012
)
)

JUDGMENT

) By: James P. Jones
) United States District Judge
)
)

It appearing that no objections have been timely filed to the Report filed February 28, 2011, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

1. The Report and its findings and recommendations are wholly **ACCEPTED** and **APPROVED**;
2. The motions for summary judgment by the parties are **DENIED**;
3. The final decision of the Commissioner of Social Security is **VACATED** and this action is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
4. The clerk will close this case.

ENTER: June 30, 2011

[Signature]
United States District Judge