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1-28-2011

## Wayne Smith v. Comm Social Security

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UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

January 10, 2011

No. 09-2983

WAYNE A. SMITH, Appellant

v.

COMMISSIONER OF SOCIAL SECURITY  
(D.N.J. No. 2-08-cv-02875)

Present: BARRY, CHAGARES and VANASKIE, Circuit Judges

Motion by Appellee to request publication of the opinion.

Respectfully,  
Clerk/ARL/awi

**Opinion & Judgment filed 11/22/2010.**

**Mandate is to Issue on 01/13/2011.**

ORDER

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The foregoing is GRANTED.

By the Court,

**/s/Maryanne Trump Barry**  
Circuit Judge

Dated: January 28, 2011