

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

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MILLER EX REL. MILLER : Civ. No. 3:15CV01055 (SALM)  
:   
v. :   
:   
CAROLYN W. COLVIN, :   
COMMISSIONER OF SOCIAL : February 26, 2016  
SECURITY :   
:   
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**RULING ON DEFENDANT'S MOTION FOR ENTRY OF JUDGMENT UNDER  
SENTENCE FOUR OF 42 U.S.C. §405(g) WITH REVERSAL AND REMAND OF  
THE CAUSE TO THE DEFENDANT**

Defendant's Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. §405(g) with Reversal and Remand of the Cause to the Defendant [Doc. #24] is **GRANTED**. Pursuant to the power of this Court to enter judgment affirming, modifying or reversing the Commissioner's decision with or without remand in Social Security actions under sentence four of Section 205(g) of the Social Security Act, 42 U.S.C. §405(g), and in light of the Government's unopposed request to remand this action for further administrative proceedings, it is ordered that this matter be remanded to the Commissioner.

Upon remand, the Appeals Council will remand this case to an administrative law judge ("ALJ") who is instructed to grant the claimant an opportunity for a new hearing, and to submit

additional evidence in accordance with 20 C.F.R. §§405.331 and 405.350. The ALJ is further instructed to: obtain evidence from a medical expert to assist in evaluating plaintiff's mental impairments; further evaluate the medical opinion evidence; re-assess plaintiff's residual functional capacity; and, as necessary, proceed through the sequential evaluation process. The ALJ will then issue a new decision. Plaintiff consents to this remand.

Therefore, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. §405(g) with a remand of the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

The clerk of the court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.

This is not a Recommended Ruling. The parties consented to the entry of a final order and judgment by a Magistrate Judge on February 26, 2016. See Doc. #24 at 2.

SO ORDERED at New Haven, Connecticut this 26th day of February, 2016.

/s/  
HON. SARAH A. L. MERRIAM  
UNITED STATES MAGISTRATE JUDGE