

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

GARY MAZURAK,

Plaintiff,

v.

CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION,

Defendants.

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CIVIL ACTION NO.
3:15-cv-01198 (VAB)

JUNE 2, 2016

RULING AND ORDER

The parties have stipulated that the decision of the Commissioner be reversed and this action be remanded under sentence four of 42 U.S.C. § 405(g) for further development of the record and additional administrative action.

Under sentence four of 42 U.S.C. § 405(g), the Court has the power to enter a judgment reversing the decision of the Commissioner and remanding the cause for further proceedings. 42 U.S.C. § 405(g); *see Shalala v. Schaefer*, 509 U.S. 292, 297 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991). Remand for further development of the record is appropriate when gaps exist in the administrative record, or when the administrative law judge (“ALJ”) committed legal error. *See Parker v. Harris*, 626 F.2d 225, 235 (2d Cir. 1980).

Here, the Commissioner agrees that further development of the record and additional administrative action is warranted. Upon remand, the Social Security Administration Appeals Council will remand this case to an ALJ. Plaintiff will be given an opportunity for a new hearing and to submit additional evidence under 20 C.F.R. §§ 405.331 and 405.350.

Accordingly, the decision of the Commissioner is reversed, and the Clerk is directed to enter judgment remanding this cause for further proceedings consistent herewith, and close this case. SO ORDERED this second day of June 2016, at Bridgeport, Connecticut.

/s/ Victor A. Bolden
VICTOR A. BOLDEN
UNITED STATES DISTRICT JUDGE