

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ROBERT OWEN STEERS,
Plaintiff,

No. 3:16-cv-00440 (SRU)

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,
Defendant.

**ORDER GRANTING COMMISSIONER’S CONSENT MOTION FOR ENTRY OF
JUDGMENT WITH REVERSAL AND REMAND**

The defendant, Carolyn W. Colvin, Acting Commissioner of the Social Security Administration, has moved to enter judgment under sentence four of 42 U.S.C. § 405(g), with a reversal and remand of the cause to the Commissioner for further action. Counsel for the Commissioner represents that she has contacted counsel for the plaintiff, Robert Owen Steers, who consents to the relief sought in this motion.

Under sentence four of 42 U.S.C. § 405(g), I have the power to enter a judgment with a reversal and remand of the cause to the Commissioner for further proceedings. *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 has determined that remand of this case for additional administrative proceedings is necessary. Upon remand, the ALJ shall re-evaluate Steers’s physical impairments at step two, including Steers’s sleep apnea and right hand tremors. The ALJ shall also review each of the medical opinions in the record, including any from the

Veteran's Administration; specifically identify what weight was assigned to each; and provide a meaningful analysis for the weight assigned to the medical opinions. In addition, Steers will be offered the opportunity for a hearing, and the ALJ shall take any further action required to complete the administrative record and then issue a new decision.

Accordingly, I **GRANT** the Commissioner's Consent Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) [**Doc. No. 22**]. The Clerk shall enter judgment and remand the case to the Commissioner for further proceedings consistent with the motion. The Clerk is further instructed that, if any party subsequently appeals to this court the decision made after remand, that Social Security appeal shall be assigned to me (as the District Judge who issued the ruling that remanded the case).

So ordered.

Dated at Bridgeport, Connecticut, this 23rd day of December 2016.

/s/ STEFAN R. UNDERHILL
Stefan R. Underhill
United States District Judge