

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANGELA R. CAPE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:15CV1527 HEA
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant,)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff’s Complaint to review the final decision of the Commissioner’s determination that Plaintiff was not under a disability as defined in the Social Security Act. For the reasons set forth in the motion, the Court agrees that the decision of the Administrative Law Judge should be reversed and remanded.

At step five of the sequential evaluation process, the ALJ relied on testimony from a vocational expert’s (VE) to support her finding that Plaintiff could perform the representative occupations of dowel inspector and table worker. The vocational expert testified that the hypothetical individual could perform these jobs, however, in response to further questioning by Plaintiff’s counsel, the VE went on to provide more specific details as to what those jobs entailed, including the fact that those jobs involved inspection of items passing by on a conveyer belt. She further testified that

in both of the jobs, the individual would be required to attend to the task of identifying the defective items, and pay attention to the items that were going passed her.

Because of the apparent conflict in the VE's testimony on direct examination and that in cross examination, the Court agrees that the record should be further developed as to step five of the sequential process.

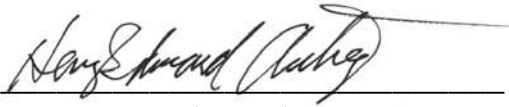
Accordingly,

IT IS HEREBY ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed.

IT IS FURTHER ORDERED that this matter is remanded to the Commissioner for further proceedings consistent with this Opinion.

A separate judgment in accordance with this Opinion, Memorandum and Order is entered this same date.

Dated this 30th day of December, 2016.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE