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6 IN THE UNITED STATES DISTRICT COURT  
7 DISTRICT OF ARIZONA

8 William Timothy Stack,

9 Plaintiff,

10 vs.  
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12 Carolyn W. Colvin,  
13 Acting Commissioner of Social Security,

14 Defendant.

No. CV-15-08063-PCT-JAT

ORDER OF REMAND AND  
JUDGMENT

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15 Based on the stipulation of the parties (Doc. 13),  
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17 IT IS ORDERED that the above-captioned case is REVERSED and REMANDED  
18 for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).  
19 On remand, the Appeals Council will direct an Administrative Law Judge (ALJ) as  
20 follows. The ALJ will reevaluate whether Plaintiff's medically determinable  
21 impairments meet or equal the requirements of any listing at step 3 of the sequential  
22 evaluation process, including Listing 12.05C, with further discussion of whether Plaintiff  
23 has deficits in adaptive functioning. In so doing, the ALJ will consult an appropriate  
24 medical expert and offer Plaintiff the opportunity to address the medical expert's opinion.  
25 If warranted, the ALJ will reevaluate Plaintiff's maximum residual functional capacity  
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1 pursuant to Social Security Ruling 96-8p; obtain supplemental vocational expert evidence  
2 at step 4; and, if necessary proceed to step 5 of the sequential evaluation process. The  
3 ALJ will consider any new evidence submitted and issue a new decision.  
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5 Upon proper presentation to this Court, Plaintiff will be entitled to reasonable  
6 attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).  
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8 IT IS FURTHER ORDERED THAT JUDGMENT is entered for Plaintiff, and this  
9 case is closed.

10 Dated this 14th day of October, 2015.  
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15 James A. Teilborg  
16 Senior United States District Judge  
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