Lucy v. Social Security Administration Commissioner Doc. 12

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

HEATH R. LUCY PLAINTIFF

v. CIVIL NO. 10-3104

MICHAEL J. ASTRUE, Commissioner
Social Security Administration DEFENDANT

ORDER

A cursory review of the transcript in this case reveals that Exhibits 12F through 20F are missing from the transcript. Without these Exhibits, the Court cannot determine whether there is substantial evidence in the administrative record to support the Commissioner's decision. See 42 U.S.C. § 405(g).

Accordingly, this matter will be administratively terminated pending the submission by the Commissioner of a certified copy of the missing exhibits, within 60 days from the date of this Order. In the event the Commissioner is unable to supplement or reconstruct the Exhibits, he is directed to notify the Court via motion or notice of his inability to comply with the requirements of this Order. Should the Commissioner be unable to supplement the record as directed, within the time constraints set forth in the Court's Order so directing, the Court will then entertain an appropriate motion to remand.

DATED this 29th day of February 2012.

/s/ Erin L. Setser
HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE

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(Rev. 8/82)

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