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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PAUL W. ANGEVINE,  
Plaintiff,  
v.  
CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,  
Defendant.

**09-cv-1496 GSA**  
  
**ORDER REMANDING CASE**

On August 20, 2009, Plaintiff filed a complaint seeking a review of a final decision of the Commissioner of Social Security (“Commissioner”) denying of his applications for disability insurance benefits and supplemental security income benefits pursuant to Titles II and XVI of the Social Security Act. (Doc. 1) On December 17, 2010, this Court issued an order and judgment affirming the Commissioner’s decision. (Docs. 19 & 20).

Plaintiff timely filed an appeal with the Ninth Circuit Court of Appeals. (Docs. 23 and 25). On October 16, 2013, the Ninth Circuit Court of Appeals issued a Memorandum reversing the judgment of this Court with instructions that the case be remanded to the ALJ for a proper

1 review of Plaintiff's mental impairments.<sup>1</sup> (Doc. 32). A mandate was issued on December 11,  
2 2013. (Doc. 33).

3 Accordingly, this case is remanded to the ALJ to complete an analysis of Plaintiff's  
4 mental impairments at step two consistent with the instructions outlined in the Memorandum  
5 issued by the Ninth Circuit Court of Appeals on October 16, 2013. (Doc. 32).  
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9 IT IS SO ORDERED.

10 Dated: December 17, 2013

/s/ Gary S. Austin  
11 UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The Court of Appeals noted that Plaintiff's arguments regarding his mental impairment had not been raised before  
28 this Court, but permitted Plaintiff to raise the issue on appeal. (Doc. 52-1, pgs. 2-3).