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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 **FRESNO DIVISION**

11	VERONICA MARCOS,)	
12	Plaintiff,)	Case No. 1:09-cv-1622 SKO
13	v.)	STIPULATION AND ORDER FOR
14	MICHAEL J. ASTRUE,)	REMAND PURSUANT TO SENTENCE
15	Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g), and
16	Defendant.)	REQUEST FOR ENTRY OF
)	JUDGMENT IN FAVOR OF
)	PLAINTIFF AND AGAINST
)	DEFENDANT

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 18 IT IS HEREBY STIPULATED, by and between the parties, through their respective
 19 counsel of record, that this action be remanded to the Commissioner of Social Security for
 20 further administrative action pursuant to section 205(g) of the Social Security Act, as amended,
 21 42 U.S.C. § 405(g), sentence four.

22 On remand, the Appeals Counsel will instruct the Administrative Law Judge (“ALJ”) to
 23 take the following action:

24 The ALJ will further evaluate the evidence. The ALJ will enter Dr. Morrison's December
 25 21, 2008, mental capacity assessment-which was previously identified as Exhibit 23F and an
 26 adjunct to Exhibit 19F, but not included in the exhibit record-into the record and explain whether
 27 he is accepting or rejecting the assessment; reevaluate the claimant's credibility and RFC; and
 28 reevaluate whether the claimant can return to his past relevant work and/or a significant number

of other jobs given his RFC, obtaining vocational expert testimony if necessary.

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The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of plaintiff, and against defendant, Commissioner of Social Security, reversing the final decision of the Commissioner.

Respectfully submitted,

Dated: April 13, 2010

/s/ Robert Christenson
(As authorized via email)
ROBERT CHRISTENSON
Attorney for Plaintiff

Dated: April 9, 2010

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/s/ Shea Lita Bond
SHEA LITA BOND
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ORDER

Upon review, the stipulation to remand is GRANTED, and the action is REMANDED to the Commissioner of Social Security. The Clerk is directed to enter judgment in favor of Plaintiff Veronica Marcos and against Defendant Michael J. Astrue.

IT IS SO ORDERED.

Dated: April 15, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE