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8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 10 FRESNO DIVISION

11	ABRAHAM CHAPA, III	)	<b>Case No. 10-CV-01956-GSA</b>
12	Plaintiff,	)	
13	vs.	)	<b>STIPULATION AND ORDER FOR</b>
14	MICHAEL J. ASTRUE,	)	<b>REMAND PURSUANT TO SENTENCE</b>
15	Commissioner of Social	)	<b>FOUR OF 42 U.S.C. § 405(g),</b>
16	Security,	)	<b>and</b>
17	Defendant.	)	<b>REQUEST FOR ENTRY OF JUDGMENT</b>
		)	<b>IN FAVOR OF PLAINTIFF AND</b>
		)	<b>AGAINST DEFENDANT</b>

18 The parties hereby stipulate by counsel, with the Court's  
 19 approval as indicated by issuance of the attached Order, that the  
 20 above-referenced case be remanded to the Commissioner of Social  
 21 Security for further administrative proceedings, pursuant to  
 22 sentence four of 42 U.S.C. section 405(g).

23 On remand, the Appeals Council will instruct the  
 24 Administrative Law Judge to take the following action:

- 25 1) Re-evaluate the opinions of the State agency physicians
- 26 and explain the weight given to those opinions;

28 Stip & Order Re Remand

- 1           2)    Further evaluate the opinion of the treating physician
- 2                    and if he rejects that opinion provide specific and
- 3                    legitimate reasons for doing so;
- 4           3)    Further evaluate the Plaintiff's residual functional
- 5                    capacity and provide appropriate rationale;
- 6           4)    Obtain supplemental evidence from a vocational expert
- 7                    to clarify whether Plaintiff can make a vocational
- 8                    adjustment to other jobs that exist in significant
- 9                    numbers in the national economy; and
- 10          5)    Otherwise develop the record as needed.

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1 The parties further request that the Clerk of the Court be  
2 directed to enter a final judgment in favor of Plaintiff; and  
3 against Defendant, Commissioner of Social Security, reversing the  
4 final decision of the Commissioner.

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6 Respectfully submitted,

7 Dated: December 9, 2011

/s/ Harvey P. Sackett  
(As authorized via E-MAIL)  
HARVEY P. SACKETT  
Attorney for Plaintiff

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10 Dated: December 9, 2011

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13 By: /s/Theophous H. Reagans  
Theophous H. Reagans  
Special Assistant U.S. Attorney  
Attorneys for Defendant

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17 **ORDER**

18 IT IS SO ORDERED.

19 **Dated: December 9, 2011**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE