

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00591-RPM

KELLY ENGEL,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of Social Security,

Defendant.

ORDER OF REVERSAL AND REMAND

For the reasons identified at the hearing held today and the Court's finding that the decision denying disability insurance benefits based on the Administrative Law Judge's written decision of December 28, 2006, is not based on substantial evidence in the record and that the ALJ failed to give adequate consideration to the medical record, particularly the reports of Dr. Dahlberg and Dr. Wong, and that there is no support in the record with respect to the claimant's prior employment as a cashier or a cleaner to support a finding that he has the residual functional capacity to perform those jobs, it is

ORDERED that the decision is reversed and this matter is remanded to the Commissioner for further proceedings which shall include the neuropsychological evaluation performed after the ALJ's decision.

DATED: September 30th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge