

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 12-cv-03310-REB

MARK CROSS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

FINAL JUDGMENT

This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **Order Reversing Disability Decision and Remanding to Commissioner** [#17] entered by Judge Robert E. Blackburn on March 12, 2014, which order is incorporated herein by this reference.

THEREFORE, IT IS ORDERED as follows:

1. That the conclusion of the Commissioner through the Administrative Law Judge that plaintiff was not disabled is **REVERSED**;
2. That this case is **REMANDED** to the ALJ, who is directed to:
 - a. Reweigh the various medical opinions of record, considering particularly whether those of plaintiff's treating source may be entitled to controlling weight, and, if not, articulating specific, legitimate reasons tied to the evidence of record and guided by the factors enumerated in 20 C.F.R. § 404.1527(c) for the weight ultimately assigned to those opinions as well as

all others of record;

- b. Reevaluate plaintiff's residual functional capacity in light of her determinations in paragraph 2(a) above, articulating specific reasons based on the evidence of record supporting the various capacities found;
- c. Recontact any treating, examining, or reviewing sources for further clarification of their findings, seek the testimony of additional medical or vocational experts, order additional consultative or other examinations, or otherwise further develop the record as she deems necessary;
- d. Reevaluate her determinations at steps 4 and 5 of the sequential evaluation; and
- e. Reassess the disability determination; and

3. That plaintiff is **AWARDED** his costs, to be taxed by the clerk of the court pursuant to Fed. R. Civ. P. 54(d)(1), D.C.COLO.LCivR 54.1, and 28 U.S.C. § 2412(a)(1).

DATED at Denver, Colorado, this 12th day of March, 2014.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/Kathleen Finney
Kathleen Finney
Deputy Clerk