

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

Civil Action No. 14-cv-01108-REB

RUTHANN MOOMY,

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** [#15] entered by Judge Robert E. Blackburn on May 28, 2015, 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. Seek further clarification and/or supplementation of Dr. Smith's treatment notes;
 - b. Recontact any treating or examining physicians for further clarification of their findings, seek the testimony of medical experts, order further consultative examinations, or otherwise further develop the record as he deems necessary;

- c. Reevaluate plaintiff's residual functional capacity at step 4 of the sequential evaluation process, articulating fully his findings in this regard and properly weighing those medical opinions of record which are contemporaneous with plaintiff's alleged period of disability, including but not limited to, those of Drs. Smith and Quintero;
- d. If necessary and based on his determination at step 4, make findings relevant to step 5 of the sequential evaluation; and
- e. Reassess the disability determination; and

3. That plaintiff is **AWARDED** her costs to be taxed by the clerk of the court under **FED. R. CIV. P.** 54(d)(1) and **D.C.COLO.LCivR** 54.1, and as permitted by 28 U.S.C. § 2412(a)(1).

DATED at Denver, Colorado, this 29th day of May, 2015.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/ Kathleen Finney
Kathleen Finney
Deputy Clerk