

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01908-AP

DUANE C. METTERS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

ORDER

The Court, having considered the parties' Stipulation to Remand for Further Proceedings, and good cause appearing therefor, hereby **WITHDRAWS** Defendant's Answer and **REMANDS** the case to the Commissioner for further agency action.¹

IT IS FURTHER ORDERED that, upon remand, the agency's Appeals Council shall reopen Plaintiff's subsequent favorable determination and consolidate it with the application at issue in this appeal for further consideration. The Appeals Council shall also affirm that Plaintiff was disabled as of his 50th birthday.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand Under Sentence Six and his Motion to Supplement the Record are **WITHDRAWN** from the record at this time.

¹ Pursuant to *Shalala v. Schaefer*, 509 U.S. 292, 297 (1993) and *Melkonyan v. Sullivan*, 501 U.S. 89, 96 (1991), this Court will not enter judgment until "after post-remand agency proceedings have been completed and their results filed with the court."

Accordingly, it is ordered that this case is reversed and remanded for further proceedings under sentence six of 42 U.S.C. § 405(g).

AND IT IS SO ORDERED.

DATED this 22ND day of December, 2014.

BY THE COURT:

s/John L. Kane