

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MICHELINA GUNDY,

Plaintiff,

v.

Case No: 2:14-cv-216-FtM-38CM

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER**<sup>1</sup>

This matter comes before the Court on the Defendant, Commissioner of Social Security's Unopposed Motion for Entry of Judgment with Remand ([Doc. #20](#)) filed on October 17, 2014. The Commissioner moves the Court to remand the instant case pursuant to [42 U.S.C. § 405\(g\)](#) sentence four for an Administrative Law Judge (ALJ) to reevaluate the conclusion at step four of the sequential evaluation process regarding the ability of the Plaintiff to perform past relevant work, and if necessary to obtain evidence from a vocational expert. The Plaintiff does not oppose the request to remand.

Because good cause has been shown to remand this case and the motion is unopposed, the case will be remanded to the Commissioner for further evaluation by an ALJ.

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Accordingly, it is now

**ORDERED:**

The Defendant, Commissioner of Social Security's Unopposed Motion for Entry of Judgment with Remand ([Doc. #20](#)) is **GRANTED**.

- (1) The decision of the Commissioner is **REVERSED** and the case is **REMANDED** to the Commissioner of Social Security pursuant to [42 U.S.C. § 405\(g\)](#) sentence four.
- (2) Upon remand the Commissioner shall update the medical evidence, including requesting evidence from a medical expert in orthopedics, if warranted and available, further consider the Plaintiff's residual functional capacity through the period at issue, reevaluate the conclusion at step four of the sequential evaluation process regarding the ability to perform past relevant work, and if necessary, obtain evidence from a vocational expert to clarify the effects of the assessed limitations on the occupational base. The ALJ will then enter a new decision.
- (3) The Clerk of the Court will enter judgment accordingly, terminate any pending motions and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 20th day of October, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record