

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
AT PIKEVILLE

CIVIL ACTION NO. 2013-99 (WOB-CJS)

HAROLD BAKER

PLAINTIFF

VS.

JUDGMENT

CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

Pursuant to the Order entered concurrently herewith, the Court being advised,

IT IS ORDERED AND ADJUDGED that the motion for summary judgment of the plaintiff (Doc. 13) be, and it is, hereby **granted in part** as to plaintiff's request for a reversal of the Commissioner's decision and remand, and **denied in part** as to plaintiff's request for a court-ordered award of benefits; that summary judgment is entered for plaintiff herein, and that the motion for summary judgment of defendant (Doc. 14) is **denied**.

IT IS FURTHER ADJUDGED that this action is **remanded** for further consideration by the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) with instructions to the ALJ to reassess whether plaintiff is disabled at step five of the sequential evaluation after obtaining the VE's response to a hypothetical question that accurately portrays plaintiff's limitations, including those posed by his illiteracy and this action is hereby dismissed and stricken from the active docket of this Court.

This 27th day of June, 2014.



Signed By:

William O. Bertelsman *WOB*

United States District Judge