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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

KERRY L. LUTE,

Plaintiff,

v.

UNITED STATES COMMISSIONER,
SOCIAL SECURITY
ADMINISTRATION,

Defendant.

* CIVIL ACTION NO. 2:12-cv-01891

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* JUDGE MINALDI

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* MAGISTRATE JUDGE KAY

ORDER

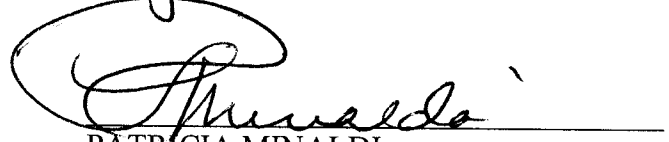
For the reasons stated in the Report and Recommendation [Doc. 22] of the Magistrate Judge previously filed herein, after an independent review of the record, a *de novo* determination of the issues, and having determined that the findings are correct under applicable law,

IT IS ORDERED that the decision of the Commissioner be and hereby is **REVERSED** and **VACATED** and the matter **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for another hearing.

IT IS FURTHER ORDERED that upon remand, the Administrative Law Judge (“ALJ”) is instructed to comply with HALLEX I-2-5-78C and AR 91-1(5) and re-issue a subpoena for Dr. Bolwahn to allow plaintiff the opportunity to cross-examine him regarding his consultative examination report. The ALJ shall further evaluate plaintiff’s impairments and residual

functional capacity, obtain additional vocational expert testimony if necessary, and fully evaluate all medical evidence including opinion evidence.

Lake Charles, Louisiana, this 14 day of Sept, 2014.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE