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OCT 16 2014

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION

TONY R. MOORE CLERK

LISA MARIE PETERS.

CIVIL ACTION NO. 2:12-cv-2821

Plaintiff,

v.

JUDGE MINALDI

MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL **SECURITY**

Defendant.

MAGISTRATE JUDGE KAY

ORDER

For the reasons stated in the Report and Recommendation [Doc. 16] 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 Commissioner's decision should be REVERSED and VACATED and the matter REMANDED for a new hearing pursuant to the fourth sentence of 42 U.S.C. § 405(g) for another hearing.

IT IS FURTHER ORDERED that upon remand, the ALJ is instructed to comply with HALLEX I-2-7-30 and HALLEX I-2-7-35B and proffer any post-hearing evidence, including the consultative examination report from Dr. R. Dale Bernauer, to plaintiff and/or plaintiff's attorney. The ALJ is further instructed to update the treatment evidence on plaintiff's medical condition, further evaluate plaintiff's impairments and residual functional capacity, and obtain additional vocational expert testimony if necessary.

Lake Charles, Louisiana, this Z day of _

ATES DISTRICT JUDGE