

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**VANICE D. GUIDRY**

**CIVIL ACTION NO. 10-1605**

**VERSUS**

**JUDGE TUCKER L. MELANÇON**

**COMMISSIONER OF SOCIAL  
SECURITY**

**MAGISTRATE JUDGE HILL**

**ORDER**

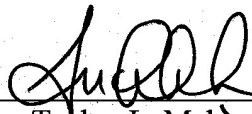
This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own. Accordingly, it is

**ORDERED** that this action is **REMANDED** to the Commissioner for further administrative action pursuant to the sixth sentence of 42 U.S.C. § 405(g). This includes, but does not limit, sending the case to the hearing level with instructions to the Administrative Law Judge to reassess claimant's condition based on the new and material evidence. This order of remand is not a final judgment. Thus, the Commissioner is further **ORDERED** to file any "additional or modified findings of facts and decision and a transcript with the additional record and testimony . . ." 42 U.S.C. § 405(g). Upon conclusion of the post-remand proceedings, the Commissioner shall report to the Court what action has been taken **within 60 days**, so that a final judgment affirming, modifying or reversing the Commissioner's decision may be entered by the Court. If the Commissioner does not comply

with the Court's order to keep it apprised within the time, then claimant shall advise the Court immediately.

**Failure to comply with this Order within the deadline may subject the Commissioner to sanctions.**

Thus done and signed in Lafayette, Louisiana, this 7<sup>th</sup> day of March, 2012.



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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE