

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HOPE M. LIPP,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:16CV310 HEA
	)	
NANCY BERRYHILL,	)	
ACTING COMMISSIONER OF	)	
SOCIAL SECURITY,	)	
	)	
Defendant	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on judicial review of a denial of Supplemental Security Income under Title XVI and Disability Insurance Benefits under title II of the Social Security Act.

Plaintiff challenges the decision of the ALJ in failing to consider Plaintiff’s treating source, Julie Unk. Although Ms. Unk is considered a “nonacceptable source,” the ALJ’s decision fails to set out whether he even considered Ms. Unk’s opinion regarding Plaintiff’s limitations with regard to her impairments. 20 C.F.R. § 404.1513(d).

Although Defendant argues that the ALJ’s decision clearly establishes that he did consider Ms. Unk’s opinion, the Court cannot ascertain the validity of this assertion. Therefore, the Court believes that a full and fair determination regarding

Plaintiff's disability requires remand to allow the ALJ to articulate what, if any, consideration he gave to Ms. Unk's opinion.

Accordingly

**IT IS HEREBY ORDERED** that pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed.

**IT IS FURTHER ORDERED** that this matter is remanded to the Commissioner for further proceedings for a clarification of whether he considered the opinion of Ms. Unk in reaching his decision to deny Plaintiff's claim of disability.

A separate judgment is entered this same date.

Dated this 20<sup>th</sup> day of March, 2017.



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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE