

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HEIDI SUE LUCAS,

Plaintiff,

vs.

CIV. NO. 1:16-cv-01131-SMV

**NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,**

Defendant.

ORDER

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings. On order of the Court, the Social Security Administration's Appeals Council will vacate the administrative law judge's (ALJ's) decision. The Appeals Council will instruct the ALJ to further consider the opinion evidence, including the opinions of Dr. Nickel and Dr. Hall, when the ALJ conducts a de novo review.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under

sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings as set forth above.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

DATED this 16th day of May, 2017.

BY THE COURT:



SUBMITTED AND APPROVED BY:

Electronically submitted 05/15/2017

STEPHANIE LYNN F. KILEY

Special Assistant United States Attorney

Electronically submitted 05/15/2017

MICHAEL ARMSTRONG

Attorney for Plaintiff

¹ The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.