

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JOSEPH W. MCKAY,

Plaintiff,

v.

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF SOCIAL SECURITY,  
OF SOCIAL SECURITY,

Defendant.

\*\*\*\*\*

3:13-cv-808

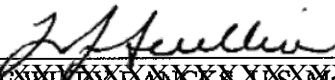
Civil Action No. ~~12~~-808  
CONSENT ORDER TO  
REMAND PURSUANT  
TO SENTENCE 4 OF  
42 U.S.C. § 405(g)

This matter having been opened to the Court by RICHARD S. HARTUNIAN, Acting United States Attorney for the Northern District of New York, and KAREN T. CALLAHAN, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 21st day of January 2014;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further

ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

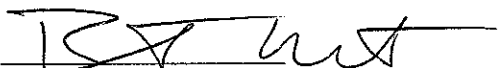
  
~~XX~~  
~~THERESE WILLEY DANCKS, U.S. Magistrate Judge~~  
~~United States District Court~~  
~~XX~~

Frederick J. Scullin, Jr.  
Senior U.S. District Judge

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: /s/karen t. callahan  
KAREN T. CALLAHAN  
Special Assistant U.S. Attorney  
Bar No.513794

By:   
BRENT M. WHITING, ESQ.  
Attorney for Plaintiff