

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSEPH W. MCKAY,

Plaintiff,

3:13-cv-808

Civil Action No. 3:13-cv-808
CONSENT ORDER TO
REMAND PURSUANT
TO SENTENCE 4 OF
42 U.S.C. § 405(g)

v.

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

Defendant.

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).

F.J. Scullin
THERESA WILEY DANCKS, U.S. Magistrate Judge
United States District Court

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
BRENT M. WHITING, ESQ.
Attorney for Plaintiff