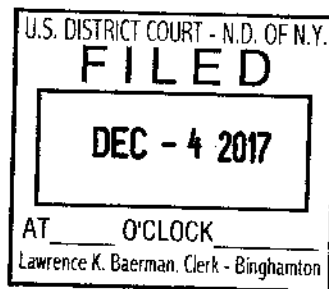


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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X  
KEVIN MICHAEL SHACKELTON,

Plaintiff,

No. 3:17-cv-00630-TJM-ATB

v.

NANCY A. BERRYHILL, ACTING  
COMMISSIONER OF SOCIAL SECURITY,

CONSENT ORDER TO REMAND  
PURSUANT TO SENTENCE 4 OF  
42 U.S.C. § 405(g)

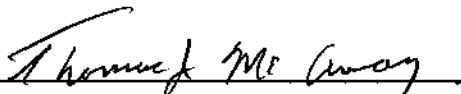
Defendant.  
-----X

This matter having been opened to the Court by Grant C. Jaquith, Acting United States Attorney for the Northern District of New York, and Emily M. Fishman, Special Assistant United States Attorney, attorneys for the 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, through the undersigned attorneys, having consented to the within order and the requested remand; and the Court having considered the matter,

IT IS on this 1st <sup>December</sup> day of ~~November~~, 2017;

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, and the Clerk is hereby directed to enter judgment, in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

  
Hon. Thomas J. McAvoy, SUSOJ

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

GRANT C. JAQUITH  
Acting United States Attorney

BY: /s/ Emily M. Fishman  
Emily M. Fishman, Esq.  
Special Assistant United States Attorney  
Attorney for Defendant  
Bar Roll No. 518330

/s/ Brian Josiah Jayakumar  
Brian Josiah Jayakumar, Esq., Staff Attorney  
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