

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF NEW YORK

 JUDY MAGEE,

Plaintiff,

v.

MICHAEL J. ASTRUE,
 COMMISSIONER
 OF SOCIAL SECURITY,

Defendant.

Civil Action No. 09-0627
 (NAM) (RFT)

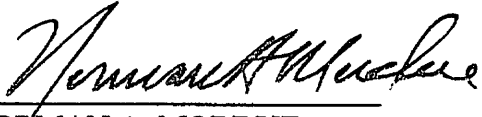
**CONSENT ORDER TO
 REMAND PURSUANT TO
 SENTENCE 4 OF
 42 U.S.C. § 405(g)**

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and John M. Kelly, 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, through the undersigned attorney, Jaya Shurtliff, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 17th day of March, 2010;

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).


NORMAN A. MORDUE
Chief United States District Judge

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

RICHARD S. HARTUNIAN
United States Attorney

By: /s/ John M. Kelly
JOHN M. KELLY
Special Assistant U.S. Attorney
Bar No. 513801

OLINSKY & SHURTLIFF

By: /s/ Jaya Shurtliff
JAYA SHURTLIFF
Attorney for Plaintiff