

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JANELLE M. HAYES MCALPINE,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

Civil Action No. 10-0817
CONSENT ORDER TO
REMAND PURSUANT TO
SENTENCE 6 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 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 six of 42 U.S.C. § 405(g) so that further administrative action may be taken; including vacating the Appeals Council's denial of Plaintiff's request for review and allowing Plaintiff's counsel an opportunity to submit to the Appeals Council additional evidence and/or contentions, and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this day of November 2010;

ORDERED that this action is remanded to the Commissioner of Social Security, pursuant to sentence six of 42 U.S.C. § 405(g) for the Defendant to take further administrative action.

IT IS SO ORDERED:



David E. Peebles
U.S. Magistrate Judge

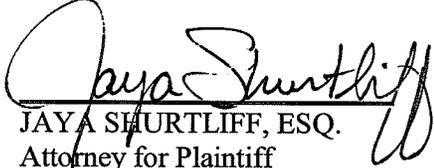
Judge

Dated: November 5, 2010

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

RICHARD S. HARTUNIAN
United States Attorney

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

By: 
JAYA SHURTLIFF, ESQ.
Attorney for Plaintiff