

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-189-BO

JOCELYN SHAW,)
)
 Plaintiff,)
) O R D E R
 v.)
)
 MICHAEL J. ASTRUE,)
 Commissioner of)
 Social Security,)
)
 Defendant.)


This matter is before the court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff's counsel has indicated that she consents to the Government's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Upon remand, Plaintiff shall be allowed further administrative proceedings before an administrative law judge for evaluation of new and material evidence submitted from Dorene Duffy, LPC, NCC. In addition, the ALJ should obtain updated mental health records, determine whether Plaintiff has a mental impairment, and reassess Plaintiff's credibility and residual functional capacity. The Clerk of Court is directed to enter a

separate judgment pursuant to Rule 58 of the Federal Rules of
Civil Procedure.

SO ORDERED this 18 day of October, 2011.


Terrence W. Boyle
United States District Judge