

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:13-cv-00089-MR

RHONDA G. RAY,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER OF REMAND</u>
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
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THIS MATTER is before the Court on the Defendant’s Consent Motion for Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) [Doc. 13].

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” The Defendant here has moved for reversal of her decision and for remand of this case for further administrative proceedings.

The Court finds that remand is appropriate. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). Upon remand to the Commissioner, the Appeals Council shall instruct the Administrative Law Judge to 1) further evaluate the State of North Carolina's Medicaid decision in accordance with Social Security Ruling 06-03p; 2) further evaluate the medical source opinions; 3) further evaluate the nature and severity of Plaintiff's impairments; 4) further evaluate Plaintiff's residual functional capacity; and 5) if warranted, obtain supplemental vocational expert testimony.

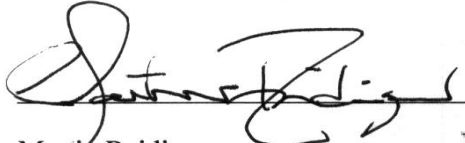
IT IS, THEREFORE, ORDERED that the Defendant's Consent Motion for Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) [Doc. 13] is **GRANTED**.

IT IS FURTHER ORDERED that the decision of the Commissioner of Social Security is hereby **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings, consistent with this Order.

The Clerk of Court shall enter a separate Judgment of Remand simultaneously herewith, thereby closing the case.

IT IS SO ORDERED.

Signed: October 31, 2013


Martin Reidinger
United States District Judge

