

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

| | | |
|-----------------------------------------|---|---------------------------|
| NANCY ANNE WOZNICK, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 5:13-cv-160-GCM |
| |) | |
| CAROLYN W. COLVIN, |) | |
| Acting Commissioner of Social Security, |) | |
| Defendant. |) | |

ORDER

The Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing her decision with a remand of the cause for further administrative proceedings. Based on the representations of the parties, the Court finds that remand is appropriate.

Upon remand, the Appeals Council will direct the Administrative Law Judge (“ALJ”) to reevaluate Plaintiff’s medically determinable mental impairments, applying the special technique for evaluating mental impairments set forth in 20 C.F.R. § 404.1520a, rating the degree of limitation in each of the four broad functional areas, and providing rationale. Additionally, the ALJ will reassess Plaintiff’s residual functional capacity throughout the period at issue, accounting for all work-related limitations established by the record, and reconsider Plaintiff’s ability to perform her past relevant work and other work that exists in the national economy, obtaining additional vocational expert evidence as necessary. The ALJ will hold a supplemental hearing and issue a new decision regarding entitlement based on disability under Title II of the Social Security Act for a period of disability, disability insurance benefits, and widow’s benefits based on disability.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with remand of the cause to the Commissioner for further proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: June 12, 2015

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

