Fazekas v. Commissioner of Social Security Doc. 22

**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF OHIO**
**EASTERN DIVISION**

| | | |
|---|---|---|
| JOHN P. FAZEKAS, | ) | CASE NO. 1:16-cv-1741 |
| | ) | |
| PLAINTIFF, | ) | JUDGE SARA LIOI |
| | ) | |
| vs. | ) | |
| | ) | OPINION AND ORDER |
| | ) | |
| CAROLYN W. COLVIN, ACTING COMMISSIONER OF SOCIAL SECURITY, | ) | |
| | ) | |
| DEFENDANT. | ) | |

Before the Court is the parties' joint stipulation to remand this case to the Commissioner of Social Security for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g), and to enter an appropriate order with judgment. (Doc. No. 21.) The parties' stipulation states that:

> Upon remand, the Appeals Council will instruct the Administrative Law Judge to reweigh the opinion evidence of record, including the opinions of the State Agency psychologists. The ALJ shall also offer the claimant a new hearing, take further actions to complete the administrative record resolving the above issues, and issue a new decision.

(*Id.*)

The parties' stipulation, which the Court construes as a joint motion, is granted. The Commissioner's decision is reversed and this matter is remanded for further proceedings consistent with the relief requested in the stipulation, as set forth above.

A Judgment Entry will be separately published.

**IT IS SO ORDERED**.

Dated: December 22, 2016

**HONORABLE SARA LIOI**
**UNITED STATES DISTRICT JUDGE**

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