

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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|------------------------|---|-------------------------------------|
| ROBERT PALONCY, | : | Case No. 3:16-cv-362 |
| | : | |
| Plaintiff, | : | Magistrate Judge Sharon L. Ovington |
| | : | (by full consent of the parties) |
| vs. | : | |
| | : | |
| NANCY A. BERRYHILL, | : | |
| COMMISSIONER OF SOCIAL | : | |
| SECURITY, | : | |
| | : | |
| Defendant. | : | |

DECISION AND ENTRY

This social security case is presently before the Court on the parties' Joint Stipulation to Remand to the Commissioner. (Doc. #14). The parties agree that this matter should be remanded to the Commissioner pursuant to Sentence Four of Section 205 of the Social Security Act, 42 U.S.C. § 405(g), and respectfully request this Honorable Court enter an appropriate order with judgment. Upon remand, the Administrative Law Judge shall (1) reweigh the opinion evidence, including the opinion of Mervet Saleh, M.D., regarding migraines; (2) explain how the claimant's migraine symptoms were evaluated under SSR 16-3p; and (3) articulate how migraines affect the residual functional capacity finding. The ALJ shall also offer the claimant a new hearing and take further action to complete the administrative record resolving the above issues, issuing a new decision.

IT IS THEREFORE ORDERED THAT:

1. The parties' Joint Stipulation to Remand to the Commissioner (Doc. #14) is **ACCEPTED**;
2. The Clerk of Court is directed to enter Judgment in Plaintiff's favor under Fed. R. Civ. P. 58;
3. This matter is **REMANDED** to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), for further consideration consistent with this Decision and Entry and the parties' stipulation; and
4. The case is terminated on the docket of this Court.

IT IS SO ORDERED.

Date: May 22, 2017

s/Sharon L. Ovington

Sharon L. Ovington
United States Magistrate Judge