

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SHERLE ANN SMITH,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil No. 3:15-CV-01524-MC

ORDER FOR REMAND

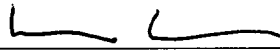
Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to:

- Reconsider claimant's mental impairments and account for any resulting limitations in the residual functional capacity (RFC) finding or explain why no limitation is necessary;
- Hold a new hearing to obtain supplemental vocational expert (VE) testimony in response to a hypothetical question that accurately reflects claimant's limitations in the RFC;
- Explore any potential conflicts between the VE's testimony and the Dictionary of Occupational Titles (DOT) and, if a conflict exists, obtain a reasonable explanation from the VE;
- Reevaluate step five to determine whether jobs exist in the national economy for an individual with claimant's RFC.

Plaintiff may submit additional evidence to the ALJ on remand, and the ALJ and Plaintiff may raise and pursue additional issues on remand.

Upon proper application, Plaintiff shall be eligible for attorneys' fees under the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.

IT IS SO ORDERED this 13 day of may, 2016.



United States District Judge
Michael J. McShane