

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SALLY A. ROBINS  
Plaintiff

CIVIL ACTION

v.

CAROLYN W. COLVIN,  
Acting Commissioner of the  
Social Security Administration,  
Defendant

NO. 12-6440

**FILED**

JAN 29 2014

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

AND NOW, this 28<sup>th</sup> day of January, 2013, after careful review and independent consideration of the Plaintiff's request for review, Defendant's response, Plaintiff's reply and review of the Report and Recommendation of Carol Sandra Moore Wells, Chief United States Magistrate Judge, it is hereby ORDERED that:

- (1) The Report and Recommendation is APPROVED and ADOPTED;
- (2) The Plaintiff's Request for Review is GRANTED in part and DENIED in part;
- (3) The matter be REMANDED to the Commissioner of Social Security Administration to allow the Administrative Law Judge (ALJ) to conduct additional proceedings consistent with the Report and Recommendation. On remand, the ALJ shall: (a) explicitly consider Plaintiff's MRI report of February 25, 2011; (b) re-assess Dr. Kennedy's 2010 opinion regarding Plaintiff's physical functional limitations and obtain a new residual functional capacity assessment from an acceptable medical source, (c) re-assess Plaintiff's and Ms. Michela Robins' credibility; (d) reconsider Plaintiff's residual functional capacity; (e) fully develop the record by either contacting Dr. Falgowski for his medical records or obtaining a consultative examination of Plaintiff's mental impairment, and (f) pose hypothetical questions to the vocational expert which take into account all of Plaintiff's credible limitations.

It be so ORDERED.

**ENTERED**

JAN 29 2014

**CLERK OF COURT**

*Petrese B. Tucker*  
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PETRESE B. TUCKER, J.