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

Plaintiff

CIVIL NO. 17-00961

v.

NANCY A. BERRYHILL, Acting Commissioner of Social Security

Defendant

OCT 13 2017

KATE BARKMAN, Clerk

ORDER

- The Report and Recommendation is APPROVED and ADOPTED;
- 2. Defendant's Motion to Remand is **GRANTED**, and this matter is hereby **REMANDED** in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Appeals Council of the Social Security Administration for further consideration and referral to an administrative law judge for further proceedings to further evaluate Plaintiff's claim.
- 3. **JUDGMENT IS ENTERED** by separate document, filed contemporaneously. *See Shalala v. Schaefer*, 509 U.S. 292, 303 (1993); *Kadelski v. Sullivan*, 30 F.3d 399, 402 (3d Cir. 1994); Fed. R. Civ. P. 58(a).

4. The Clerk of Courts shall mark this case **CLOSED** for all purposes including statistics.

BY THE COURT:

C. DARNELL JONES, II U.S. District Court Judge