

3. Plaintiff's Request for Review [Doc. No. 15] is **GRANTED**²; and this matter is **REMANDED** to the Commissioner for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g).

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

² In his Request for Review, Plaintiff also asks this Court to award him disability benefits. As the R&R appropriately noted, awarding benefits at this time would require the Court to impermissibly weigh evidence and make findings of fact. *Rutherford v. Barnhart*, 399 F.3d 456, 552 (3d Cir. 2005); *Grant v. Shalala*, 989 F.2d 1332, 1338 (3d Cir. 1993). Thus, Plaintiff's Request for Review is granted to the extent that he seeks remand.