

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

DON ALLEN DEBIAS, JR., : CIVIL ACTION
 : NO. 11-3545
 Plaintiff, :
 :
 v. :
 :
MICHAEL J. ASTRUE, :
 :
 Defendant. :
 :

O R D E R

AND NOW, this **11th** day of **June, 2012**, it is hereby **ORDERED** that the Court **APPROVES** and **ADOPTS** Chief Magistrate Judge Carol Sandra Moore Wells's Report and Recommendation in part and rejects it in part. Plaintiff's request for review is **GRANTED** in part, **DENIED** in part, and the Court **REMANDS** this case to the Commissioner for further proceedings consistent with the accompanying Memorandum Opinion. In particular, on remand the ALJ shall pose a complete and accurate hypothetical to the VE providing specific detail about Plaintiff's moderate social function impairment. In order to fully develop the record, the ALJ shall also obtain legible treatment notes from Dr. Lychak and determine based upon those notes the appropriate weight to give to Dr. Lychak's December 9, 2009, opinion. In doing so, the ALJ should provide a full explanation in accordance with 20 C.F.R. §§ 416.927(c)(1)-(6). In addition, if after reviewing

the legible notes the ALJ finds Dr. Lychak's December 9, 2009, opinion is consistent with the other medical evidence of record, the ALJ should consider obtaining a new opinion from the state agency's physician, or explain why such an opinion is not necessary.

AND IT IS SO ORDERED.

s/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.