

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

CYNTHIA ENGLE,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	NO. 20-0323
	:	
ANDREW M. SAUL, COMMISSIONER	:	
OF THE SOCIAL SECURITY	:	
ADMINISTRATION, ¹	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 31st day of March, 2021, upon consideration of Plaintiff’s Brief and Statement of Issues in Support of Request for Judicial Review (Dkt. No.18), Defendant’s Response (Dkt. No. 19), the Defendant’s Response to the Court’s Order whether this case should be reversed and remanded for reconsideration by a properly appointed Administrative Law Judge (“ALJ”), pursuant *Cirko ex rel. Cirko v. Comm’r of Soc. Sec.*, 948 F.3d 148 (3d Cir. 2020) (Dkt. No. 21), and for the reasons expressed in the accompanying Memorandum Opinion, **IT IS ORDERED** that:

1. The relief sought by Plaintiff is **GRANTED** in part as described below;
2. The case is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g), and in accordance with the Memorandum Opinion filed this date, will be assigned to a different Constitutionally appointed ALJ for a new hearing and Decision; and
3. In all other respects, Plaintiff’s request for relief is **DENIED**.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
United States Magistrate Judge

¹ Andrew M. Saul became the Commissioner of Social Security in June 2019. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted as a party in place of Nancy A. Berryhill, who was Acting Commissioner from January 23, 2017 through June of 2019.