

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

BRETT D. TUCKER,

Plaintiff,

v.

CAROLYN W. COLVIN,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

CASE NO. 3:13-cv-02416-GBC

(MAGISTRATE JUDGE COHN)

ORDER GRANTING PLAINTIFF'S  
APPEAL, VACATING THE DECISION OF  
THE COMMISSIONER, AND REMANDING  
FOR FURTHER PROCEEDINGS

Docs. 1, 6, 7, 9, 10, 11

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In accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT:**

1. The Clerk of Court shall enter judgment in favor of Brett D. Tucker and against the Commissioner as set forth in the following paragraph.

2. The decision of the Commissioner of Social Security denying Brett D. Tucker social security disability insurance benefits and supplemental security income benefits is vacated and the case remanded to the Commissioner of Social Security to:

Conduct a new administrative hearing;

Appropriately evaluate the opinions of Dr. Bradley Jahn, D.C., Dr. Amatul Khalid, M.D., and Mr. Martin Young, and, if necessary, elicit further medical opinion regarding Brett D. Tucker's residual functional capacity or his ability to meet or equal an impairment listed in 20 C.F.R. Part 404, Subpart P, Appendix 1.

3. The Clerk of Court shall close this case.

Dated: September 8, 2014

s/Gerald B. Cohn  
GERALD B. COHN  
UNITED STATES MAGISTRATE JUDGE