

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOHN JAY KOPINETZ,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security

Defendant.

Civil No. 3:16-CV-01074

(Judge Brann)

ORDER

AND NOW, THIS 23RD DAY OF FEBRUARY 2017, IT IS HEREBY ORDERED THAT:

(1) The Clerk of Court shall enter judgment in favor of Nancy A. Berryhill, Acting Commissioner of Social Security¹ as to Kopinetz's Social Security Disability Insurance Benefits claim under Title II, and as set forth in paragraph three (3) below;

(2) The Clerk of Court shall enter judgment in favor of John Jay Kopinetz and against Nancy A. Berryhill, Acting Commissioner of Social Security as to Kopinetz's Supplemental Security Income claim under Title XVI, and as set forth in paragraph four (4) below;

(3) The decision of the Acting Commissioner of Social Security denying John Jay Kopinetz's Social Security Disability Insurance Benefits is **AFFIRMED**;

(4) The decision of the Acting Commissioner of Social Security denying John Jay Kopinetz's Supplemental Security Income is **VACATED** and the case is **REMANDED** to the Commissioner of Social Security to conduct a new administrative hearing, fully develop the

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d), Nancy A. Berryhill is substituted for Carolyn W. Colvin, Acting Commissioner of Social Security as the defendant in this suit.

record, and appropriately evaluate the evidence; and

(5) The Clerk of Court shall **CLOSE** the case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge