

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Robinson Dane Royce,	)	Civil Action No.: 1:16-cv-3612-BHH
	)	
	)	Plaintiff,
	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
NANCY A. BERRYHILL <sup>1</sup> ,	)	
Acting Commissioner of Social Security,	)	
	)	
	)	Defendant.
	)	

Defendant, Nancy A. Berryhill, Acting Commissioner of Social Security moves pursuant to sentence four of 42 U.S.C. § 405(g) for an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). Plaintiff does not oppose Defendant’s motion. Upon consideration, Defendant’s motion (ECF No. 15) is GRANTED. The Court hereby REVERSES the Commissioner's decision in this matter under sentence four of 42 U.S.C. § 405(g)<sup>2</sup>, and REMANDS the case to the Commissioner for further administrative proceedings.

On remand, the ALJ should specifically: (1) evaluate the record regarding Plaintiff’s functional limitations and vocational history, including obtaining testimony from a vocational expert, if necessary; and (2) issue a new decision.

**IT IS SO ORDERED.**

/s/ Bruce Howe Hendricks  
United States District Judge

July 26, 2017

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<sup>1</sup>Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

<sup>2</sup>The Clerk of Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

Greenville, South Carolina