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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

TRINA LUNA,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:17-cv-03080-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g) AND CLOSING FILE**

**ECF Nos. 16, 20**

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 20) of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g).

Attorney D. James Tree represents Plaintiff. Attorney Sarah Martin represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS HEREBY**

**ORDERED:**

1. The parties' Stipulated Motion for Remand (ECF No. 20) is

**GRANTED.**

1           2. The above-captioned case is **REVERSED** and **REMANDED** to the  
2 Commissioner of Social Security for further administrative proceeding pursuant to  
3 sentence four of 42 U.S.C. § 405(g).

4           On remand the administrative law judge (ALJ) shall hold a de novo hearing,  
5 further develop the record, and issue a new decision in regard to Plaintiff's  
6 application for Disability Insurance Benefits and Supplemental Security Income  
7 under Titles II and XVI of the Social Security Act. The ALJ shall also: (1)  
8 reevaluate Plaintiff's fibromyalgia pursuant to Social Security Ruling 12-2p; (2)  
9 reevaluate the opinion evidence; (3) reassess Plaintiff's symptoms pursuant to  
10 Social Security Ruling 16-3p; (4) if warranted, reassess Plaintiff's residual  
11 functional capacity; and (5) obtain vocational expert evidence at step five.

12           3. Judgment shall be entered for **PLAINTIFF**.

13           4. Plaintiff's Motion for Summary Judgment (**ECF No. 16**) is **STRICKEN**  
14 **AS MOOT**.

15           5. Upon proper presentation, this Court will consider Plaintiff's application  
16 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

17           The District Court Executive is directed to enter this Order, **enter**  
18 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

19           DATED October 26, 2017.

20    *s/Mary K. Dimke*  
MARY K. DIMKE  
UNITED STATES MAGISTRATE JUDGE