

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BRYANT PRYOR,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting  
Commissioner of the Social Security  
Administration.

Defendant.

CASE NO. 2:16-CV-01903-JRC

**ORDER GRANTING STIPULATED  
MOTION FOR REMAND**

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local  
Judge Rule MJR 13. (*See also* Notice of Initial Assignment to a U.S. Magistrate  
and Consent Form, Dkt. 3; Consent to Proceed Before a United States Magistrate Judge,  
(.) This matter is before the Court on defendant's stipulated motion to remand the matter to  
the Commissioner for further consideration. (Dkt. 20.)

After reviewing defendant's stipulated motion and the remaining record, the Court grants defendant's motion pursuant to sentence four of 42 U.S.C. § 405(g), and reverses and remands this case regarding plaintiff's claim for a period of disability and disability insurance benefits

1 under Title II of the Social Security Act to the Acting Commissioner of Social Security for  
2 further administrative proceedings and a new decision.

3 Following remand, the Appeals Council shall instruct the Administrative Law Judge to  
4 update and expand the record. If possible, the ALJ shall obtain the claimant's disability ratings  
5 from the U.S. Department of Veteran's Affairs—including statements of the underlying evidence  
6 and rationale it relied on in establishing the ratings. Additionally, the ALJ shall: consider or  
7 reconsider and properly address the evidence; reassess the claimant's residual functional capacity  
8 in light of the preceding assessments; and continue with the other steps in the sequential  
9 evaluation process, as necessary.

10 Plaintiff shall be entitled to reasonable attorney fees and costs pursuant to the Equal  
11 Access to Justice Act, 28 U.S.C. § 2412(d), following proper request to the Court.

12 Given the facts and the parties' stipulation, the Court hereby orders that the case be  
13 **REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

14 Dated this 14th day of July, 2017.

15   
16 J. Richard Creatura  
17 United States Magistrate Judge  
18  
19  
20  
21  
22  
23  
24