

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

LOREAL STEVENS,

Plaintiff,

V.

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

Defendant.

CASE NO. 2:17-CV-00097

**ORDER GRANTING STIPULATED
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. 5; Consent to Proceed Before a United States Magistrate Judge,
5. This matter is before the Court on defendant's stipulated motion to remand the matter to
the Commissioner for further consideration. Dkt. 18.

After reviewing defendant's stipulated motion and the remaining record, the Court grants defendant's motion, and reverses and remands this matter to the Acting Commissioner.

1 Pursuant to the stipulation of the parties, it is hereby ORDERED that the Acting
2 Commissioner's final decision be reversed and remanded in accordance with sentence four of 42
3 U.S.C. § 405(g). On remand, the Appeals Council will first determine whether the record
4 supports a finding of disability. If not, the Appeals Council will remand the case to an
5 Administrative Law Judge, and plaintiff will have an opportunity for a hearing and to update
6 the medical evidence. The Administrative Law Judge will reevaluate the medical evidence and
7 address any limitations assessed in the medical record, and the persistence of such limitations
8 with and without DAA.

9 Following proper application, plaintiff shall be eligible for attorneys' fees pursuant to the
10 Equal Access to Justice Act, 24 U.S.C. § 2412 *et seq.*

11 Given the facts and the parties' stipulation, the Court hereby orders that the case be
12 **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) consistent
13 with this Order. Judgment shall be for the plaintiff and case closed.

14 Dated this 18th day of July, 2017.

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17 J. Richard Creatura
18 United States Magistrate Judge
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