

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EDWARD NORTON,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 13-cv-05335 BHS

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration. (ECF No. 31.)

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and ORDER that the Commissioner's decision in regard to plaintiff's application for disability benefits pursuant to Titles II and XVI of

1 the Social Security Act be REVERSED and REMANDED pursuant to sentence four of 42
2 U.S.C. § 405(g) to the Acting Commissioner of Social Security for a *de novo* hearing. On
3 remand, the Administrative Law Judge shall reassess the medical evidence, particularly
4 concerning plaintiff's ability to stand and walk; and his social functioning limitations. The
5 Administrative Law Judge also shall obtain supplemental evidence from a vocational expert.

6 Given the facts and the parties' stipulation, the Court recommends that the District Judge
7 immediately approve this Report and Recommendation and order that the case be **REVERSED**
8 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

9 Dated this 11th day of March, 2014.

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11 J. Richard Creatura
12 United States Magistrate Judge

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