

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

## WILLIAM BLIEGE.

Plaintiff,

V.

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

Defendant.

CASE NO. 3:17-cv-05001 RBL JRC

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Judge J. Richardura, United States Magistrate Judge, on Defendant's Stipulated Motion for Remand (Dkt. and the relevant record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) Based on the stipulation of the parties, it is ORDERED that, pursuant to sentence of 42 U.S.C. § 405(g), the Commissioner's decision in regard to plaintiff's application for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI,

1 respectively, of the Social Security Act is REVERSED and REMANDED to the Commissioner  
2 of Social Security for further administrative proceedings before an Administrative Law Judge  
3 (ALJ), a de novo hearing, and a new decision. On remand, the ALJ shall provide plaintiff with  
4 an opportunity to submit additional evidence; if warranted, reassess plaintiff's residual functional  
5 capacity; obtain supplemental evidence from a vocational expert to determine whether there are a  
6 significant number of jobs in the national economy that plaintiff can perform; before relying on  
7 the vocational expert evidence, identify and resolve any conflicts between the occupational  
8 evidence provided by the vocational expert and information in the Dictionary of Occupational  
9 Titles (DOT) (Social Security Ruling 00-4p); give plaintiff an opportunity for a hearing; and  
10 issue a new decision; and

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

13 (4) The Clerk is directed to enter Judgment and close this case.

14 Dated this 23<sup>rd</sup> day of May, 2017.

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16 Ronald B. Leighton

17 Ronald B. Leighton  
18 United States District Judge  
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