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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 RICHARD ARTHUR CALDWELL,

11 Plaintiff,

12 v.

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

15 Defendant.

CASE NO. 3:17-cv-05178 JRC

ORDER GRANTING STIPULATED
REMAND

16
17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
18 Magistrate Judge Rule MJR 13. *See also* Order on Consent, Dkt. 13. This matter is before the
19 Court on defendant's stipulated motion to remand the matter to the Acting Commissioner for
20 further consideration. Dkt. 12.

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

23 Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision
24 be REVERSED and REMANDED to the Acting Commissioner of Social Security for further


1 administrative proceedings. On remand, the administrative law judge (ALJ) will conduct *de*
2 *novo* the sequential evaluation process. If available and warranted, the ALJ will consider
3 obtaining expert evidence to address medical or vocational issues.

4 This Court hereby reverses the Commissioner's decision pursuant to sentence four of 42
5 U.S.C. § 405(g) with a remand of the case to the Acting Commissioner for further proceedings.
6 *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

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

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

11 Dated this 5th day of June, 2017.

12 
13 J. Richard Creatura
14 United States Magistrate Judge