

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GERALD UNDERWOOD,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

ORDER

15-cv-305-bbc

The parties have filed a stipulation for remand under sentence four of Section 405(g) of the Social Security Act. The motion will be granted.

On remand, the Appeals Council will send the claim to an Administrative Law Judge for a new administrative hearing regarding the claim of disability. Plaintiff will be afforded the opportunity to testify, and submit additional evidence and arguments. The Administrative Law Judge will reconsider the credibility of plaintiff's claimed symptoms and limitations in accordance with the agency's regulations and policy rulings; further develop evidence about the relevant period as to the nature and extent of plaintiff's work activity and whether plaintiff had a reasonable explanation for not obtaining treatment for his physical and mental impairments. Consistent with Social Security Rulings the Administrative Law Judge will explain how the medical and nonmedical evidence supports the RFC finding about the claimant's mental ability to work. If necessary, the Administrative Law Judge will order a consultative mental examination or obtain the testimony of a psychological expert; and,

if necessary, obtain testimony from a vocational expert about plaintiff's past relevant work and other jobs available in the national economy. The Administrative Law Judge will issue a de novo decision.

ORDER

IT IS ORDERED that this case is REMANDED to the Commissioner for further action as outlined above.

Entered this 14th day of December, 2015.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge