

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

AUDRIE PEREZ,)
Plaintiff,)
)
v.) Civil No. 2:11-cv-00244-NT
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner’s decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the government’s request to remand this action for further development of the record by an Administrative Law Judge (ALJ), IT IS HEREBY ORDERED that, upon remand, the Appeals Council will remand the case to an ALJ, who will be instructed to update the record and offer Plaintiff a de novo hearing. The ALJ will be instructed to obtain a consultative psychological or psychiatric examination, and to obtain medical and psychological expert opinion evidence concerning the nature, severity, and limiting effects, if any, of Plaintiff’s mental and physical impairments. The ALJ will also be directed to reevaluate the opinion of Plaintiff’s treating physician, Tiffany Segre, M.D. After the record has been updated, the ALJ will proceed through the sequential evaluation process. The ALJ will obtain vocational expert evidence, if necessary, before issuing a new decision.

Therefore, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292, 296-97 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 5th day of January, 2012.