

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

CYNTHIA BEVILACQUA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:14-00545-NT
)	
CAROLYN W. COLVIN, Acting)	
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 administrative proceedings by the Appeals Council.

IT IS HEREBY ORDERED that this case be remanded to the Social Security Administration for further administrative proceedings. Upon the remand of this case by this Court, the Appeals Council will remand it to an Administrative Law Judge (“ALJ”) for submission of new evidence, a *de novo* hearing, and a new decision. The Appeals Council will direct the ALJ to reconsider whether Plaintiff had a severe physical impairment as of her date last insured and reconsider the opinion evidence in accordance with 20 C.F.R. § 404.1527 and Social Security Ruling 96-6p.

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 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (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 Chief District Judge

Dated this 1st day of May, 2015.

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CIVIL DOCKET NO. 1:14-CV-545-NT

Plaintiff

CYNTHIA BEVILACQUA

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V.

Defendant

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ADMINISTRATION
COMMISSIONER**

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