

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DORIS J. WILLIAMS,)	
o/b/o A.S.J.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:09cv236-CSC
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

OPINION and ORDER

On September 9, 2009, the plaintiff filed a motion to remand (doc. # 13) and a motion for an extension of time to file her brief (doc. # 12). On September 25, 2009, the defendant filed a response to the motions consenting to the remand for further consideration of the plaintiff's claims. According to the Commissioner, a sentence four of 42 U.S.C. § 405(g) would permit the Appeals Council to

direct the ALJ to include all evidence from the record in the transcript. The Appeals Council would also direct the ALJ to follow the directives of the District Court's July 2006 directives to compare evidence of Plaintiff's development from the date he was initially found disabled in 1998, to the date he was found to have medically improved in 2003, and determine whether there has been medical improvement. The ALJ will also be directed to consider whether Plaintiff's medical condition meets or equals the requirements of Listing 112.05D at any time during the period at issue.

(Def's Res. to Pl's Mot., doc. # 15, at 1-2).

The plaintiff does not object to a sentence four remand for consideration of these issues.

Furthermore, the parties have consented to entry of final judgment by the United States Magistrate Judge. *See* 28 U.S.C. § 636(c). Accordingly, it is

ORDERED and ADJUDGED as follows:

1. That the plaintiff's motion to remand (doc. # 13) be and is hereby GRANTED.
2. That the decision of the Commissioner be and is hereby REVERSED and this case be and is hereby REMANDED to the Commissioner for further proceedings consistent with the proceedings in this court.
3. That the plaintiff's motion for an extension of time to file her brief (doc. # 12) be and is hereby DENIED as moot.

Done this 28th day of September, 2009.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE