

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

ROBERT EUGENE FARROW,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 3:17-cv-079-WC
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Pending before the court is the Acting Commissioner of Social Security’s Unopposed Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant. (Doc. 17). In her supporting Memorandum (Doc. 18), the Acting Commissioner states remand is necessary to permit further consideration of Plaintiff’s claim of disability. In particular, the Acting Commissioner states that, upon this court’s remand, the Agency will “further consider Plaintiff’s vision impairment, and, if necessary, obtain vocational expert testimony to determine the extent to which the impairment impact[s] his ability to work.” Def.’s Mem. (Doc. 18) at 1.

Sentence four of 42 U.S.C. § 405(g) authorizes the district court to “enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). The district court may remand a case to the

Commissioner for a rehearing if the court finds “either . . . the decision is not supported by substantial evidence, or . . . the Commissioner or the ALJ incorrectly applied the law relevant to the disability claim.” *Jackson v. Chater*, 99 F.3d 1086, 1092 (11th Cir. 1996).

In this case, the court finds reversal and remand necessary as Defendant concedes reconsideration and further development of the record is in order. Furthermore, Plaintiff does not oppose the motion.

Accordingly, it is

ORDERED that the Commissioner’s Motion (Doc. 17) is GRANTED; for the reasons set forth in the Motion and in this Order, the decision of the Commissioner is REVERSED and REMANDED for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

A separate judgment will issue.

Done this 30th day of August, 2017.

/s/ Wallace Capel, Jr.
CHIEF UNITED STATES MAGISTRATE JUDGE