

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

SHEILA ANN HOWARD

PLAINTIFF

VS.

3:10CV00139 JTR

MICHAEL J. ASTRUE,  
Commissioner, Social  
Security Administration

DEFENDANT

**ORDER**

The Commissioner has filed an unopposed Motion (docket entry #16) to reverse the ALJ's decision and to remand this case pursuant to sentence four of 42 U.S.C. § 405(g) (1995):

The court shall have the power 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.

The Commissioner seeks remand for further development of the record and for the ALJ to issue a new decision. Under these circumstances, a sentence four remand is appropriate. *See Buckner v. Apfel*, 213 F.3d 1006, 1010-11 (8th Cir. 2000).

IT IS THEREFORE ORDERED THAT Defendant's Motion to Remand (docket entry #16) is GRANTED. This is a remand pursuant to "sentence four" of 42 U.S.C.

§ 405(g).

DATED this 4<sup>th</sup> day of January, 2011.

  
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UNITED STATES MAGISTRATE JUDGE