

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

SHANE OVERMAN

PLAINTIFF

VS.

3:10CV00152 JTR

MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration

DEFENDANT

ORDER

The Commissioner has filed an unopposed Motion (docket entry #13) to reverse the ALJ's decision and 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 #13) is GRANTED. This is a remand pursuant to "sentence four" of 42 U.S.C.

§ 405(g).

DATED this 4th day of April, 2011.

Handwritten signature of J. Thomas Ray in black ink, written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE