

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

CATHERINE TOWNSEND,

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Plaintiff,

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v.

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No. 3:11-cv-00300-JJV

MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,

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Defendant.

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**ORDER**

Defendant has filed a motion to remand this case pursuant to sentence four of 42 U.S.C.

§ 405(g) (1995):

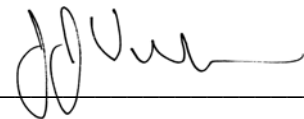
The court shall have the power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

The Commissioner seeks remand for further development of the record and to issue a new decision. Defendant states that Plaintiff's attorney was contacted and stated that he had no objection to the requested remand. Under the circumstances, a sentence four remand is appropriate. *Buckner v. Apfel*, 213 F.3d 1006, 1010-11 (8th Cir. 2000).

Accordingly, the Commissioner's decision is reversed and remanded for action consistent with this opinion. This is a "sentence four" remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

IT IS SO ORDERED.

DATED this 11th day of July, 2012.




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JOE J. VOLPE  
UNITED STATES MAGISTRATE JUDGE