

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

LYNDA L. JONES,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

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No. 4:11-CV-00817-JJV

ORDER

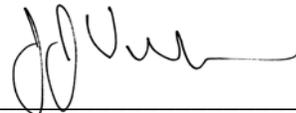
Defendant has filed a Motion to Remand (Doc. No. 11) this case pursuant to sentence four of 42 U.S.C. § 405(g) (1995):

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 administrative action. The Motion states that Plaintiff's counsel was contacted and she 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, it is hereby ORDERED that Defendant's Motion to Remand (Doc. No. 11) is GRANTED. All other pending motions are rendered moot. 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). This dismissal is without prejudice to Plaintiff's subsequent filing for attorney's fees under the Equal Access to Justice Act.

SO ORDERED this 29th day of May, 2012.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE