

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

TAMMY LYNN WILSON

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Plaintiff,

*

v.

No. 4:23-cv-00518-KGB-JJV

KILOLO KIJAKAZI,
Acting Commissioner,
Social Security Administration,

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Defendant.

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PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

INSTRUCTIONS

This recommended disposition has been submitted to United States District Judge Kristine G. Baker. The parties may file specific objections to these findings and recommendations and must provide the factual or legal basis for each objection. The objections must be filed with the Clerk no later than fourteen (14) days from the date of the findings and recommendations. A copy must be served on the opposing party. The district judge, even in the absence of objections, may reject these proposed findings and recommendations in whole or in part.

RECOMMENDED DISPOSITION

Plaintiff, Defendant filed an unopposed Motion to Remand this case (Doc. No. 12) 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 to conduct further proceedings and states opposing counsel has 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 should be reversed and remanded for action consistent with this opinion. This should be a "sentence four" remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

SO RECOMMENDED this 15th day of November 2023.



JOE J. VOEPE
UNITED STATES MAGISTRATE JUDGE