

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

JOHN RAUCH, III

Plaintiff,

v.

MARTIN O'MALLEY,
Commissioner,
Social Security Administration,

Defendant.

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No. 4:24-cv-00108-JJV

ORDER AND JUDGMENT

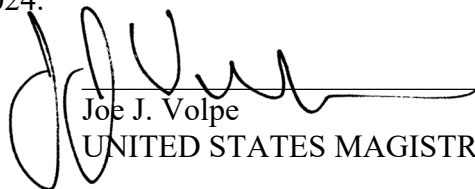
Defendant filed an unopposed Motion to Reverse and Remand this case (Doc. No. 10) pursuant to sentence four of 42 U.S.C. § 405(g) (1995):

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 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).

SO ORDERED this 5th day of June 2024.



Joe J. Volpe
UNITED STATES MAGISTRATE JUDGE