

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

MARY ANN LANCASTER

PLAINTIFF

V.

5:10CV00151 JMM

**MICHAEL J. ASTRUE,
Commissioner of the Social
Security Administration**

DEFENDANT

ORDER

Pending is the Motion for Remand for Consideration of New and Material Evidence filed by the Plaintiff. The disposition of the motion is governed by 42 U.S.C. § 405(g) (1995). In pertinent part, it specifies:

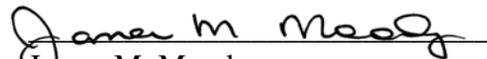
The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security, and it may at any time order additional evidence to be taken before the Commissioner of Social Security, but only upon a showing that there is new evidence which is material and that there is good cause for the failure to incorporate such evidence into the record in a prior proceeding; .

. . .

The evidence which Plaintiff seeks to have considered consists of Plaintiff's disability application of April 10, 2007, the ALJ decision of June 13, 2011, and any new evidence that supports that decision. The Defendant agrees.

After review of the case, the Court finds that the unopposed Motion for Remand (Docket # 13) should be, and hereby is, GRANTED. This case is remanded to the Commissioner of the Social Security Administration.

IT IS SO ORDERED this 29th day of August, 2011.


James M. Moody
United States District Judge