

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

RHONDA C. WILLIAMS

PLAINTIFF

v.

CIVIL NO. 10-2086

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

MEMORANDUM OPINION

Plaintiff, Rhonda C. Williams, filed this action on June 18, 2010, seeking judicial review of a decision of the Commissioner of Social Security (Commissioner) pursuant to 42 U.S.C. § 405(g). (Doc. 1). In place of an answer, Defendant filed a motion to remand for further administrative action pursuant to sentence six of 42 U.S.C. § 405(g). (Doc. 10). Specifically, Defendant seeks remand to expunge medical evidence that does not pertain to Plaintiff, which was relied upon by the ALJ, and to locate the proper medical records. *Id.*

Pursuant to sentence six of 42 U.S.C. § 405(g), a district court may remand a social security case when the Commissioner, for good cause, requests remand to take further administrative action before filing an answer to the complaint. 42 U.S.C. §405(g); *Shalala v. Schaefer*, 509 U.S. 292, 113 S.Ct. 2625 (1993). Defendant has satisfied the statutory requirements, and good cause supports the request to remand.

Based on the foregoing, we grant Defendant's motion and remand this case to the Commissioner for further administrative action pursuant to sentence six of 42 U.S.C. § 405(g).

DATED this 25th day of August 2010.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF U.S. MAGISTRATE JUDGE