

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

JENNIFER R. ANGLIN

PLAINTIFF

v.

CIVIL NO. 24-3032

MARTIN J. O'MALLEY, Commissioner
Social Security Administration

DEFENDANT

MEMORANDUM OPINION

Plaintiff, Jennifer R. Anglin, brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of the Social Security Administration (Commissioner) denying her claim for a period of disability, disability insurance benefits ("DIB"), and supplemental security income ("SSI") benefits under Titles II and XVI of the Social Security Act (hereinafter "the Act"), 42 U.S.C. §§ 423(d)(1)(A), 1382c(a)(3)(A). (ECF No. 2). The Defendant filed the Social Security Transcript on September 9, 2024. (ECF No. 7).

On October 25, 2024, the Defendant filed an Unopposed Motion for Reversal and Remand requesting that Plaintiff's case be remanded pursuant to "sentence four" of section 405(g) in order to conduct further administrative proceedings. (ECF No. 12).

The exclusive methods by which a district court may remand a social security case to the Commissioner are set forth in "sentence four" and "sentence six" of 42 U.S.C. § 405(g). A remand pursuant to "sentence six" is limited to two situations: where the Commissioner requests a remand before answering the complaint, or where the court orders the Commissioner to consider new, material, evidence that was not presented before the agency for good cause. The fourth sentence of the statute provides that "[t]he court shall have 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." 42 U.S.C. § 405(g); *Shalala v. Schaefer*, 509 U.S. 292, 296 (1993). Here, the Court finds remand for the purpose of allowing the ALJ to further evaluate the evidence appropriate.

Based on the foregoing, the undersigned **GRANTS** the Commissioner's Unopposed Motion for Reversal and Remand (ECF No. 12) and remands this case to the Commissioner for further administrative action pursuant to "sentence four" of section 405(g).

DATED this 25th day of October 2024.



HON. CHRISTY COMSTOCK
UNITED STATES MAGISTRATE JUDGE