

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

LATASHA WILLIAMS

PLAINTIFF

V.

NO. 09-4132

MICHAEL J. ASTRUE,
Commissioner of Social Security

DEFENDANT

MEMORANDUM OPINION

On January 3, 2011, the undersigned entered an Order administratively terminating this matter pending the submission by the Commissioner of a clear copy of the evidence that was submitted post-hearing, referred to as Exhibit 11F, within 60 days from the date of the Order. (Doc. 12). In that same Order, the Court stated that should the Commissioner be unable to reconstruct the record as directed, the Court would entertain an appropriate motion to remand.

On February 16, 2011, Defendant filed a Motion for Reversal and Remand and supporting brief (Docs. 13, 14), stating that he is unable to produce the document referred to as Exhibit 11F. Accordingly, Defendant requests the Court to vacate the ALJ's decision, and to remand the case to the ALJ to develop the record, hold a supplemental hearing, and issue a new decision. (Doc. 14).

Based upon the foregoing, the Court hereby **grants** the motion, reverses the decision of the ALJ and remands this matter to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g). The Court directs the Clerk to re-open the case and remand

the matter in accordance herewith.

DATED this 17th day of February, 2011.

/s/ *Erin L. Setser*

HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE