

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

LINDA LEA CHRISTENSEN

PLAINTIFF

v.

CIVIL NO. 09-5162

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

MEMORANDUM OPINION

Plaintiff, Linda Lea Christensen, filed this action on August 3, 2009, seeking judicial review of a decision of the Commissioner of Social Security (Commissioner) pursuant to 42 U.S.C. § 405(g). (Doc. 1). On November 5, 2009, Defendant filed an unopposed motion requesting Plaintiff's case be remanded for further administrative action pursuant to sentence six of 42 U.S.C. § 405(g), so that the Appeals Council can respond to Plaintiff's attorney's allegation that there is good cause for a late filing in this matter. (Doc. 8).

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). Here, we find good cause exists to support Defendant's request for remand.

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

DATED this 9th day of December 2009.

/s/ Erin L. Setser _____

HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE