

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 15-cv-01300-REB

KIMBERLY BAUMGARTNER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

ORDER FOR REMAND AND JUDGMENT

Blackburn, J.

The matter before me is **Defendant's Unopposed Motion for Remand** [#15],¹ filed November 12, 2015. By this motion, defendant requests that the court remand this matter for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). Having reviewed the motion and the file, I find and conclude that the motion is well-taken and should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That **Defendant's Unopposed Motion for Remand** [#15], filed November 12, 2015, is granted,
2. That the conclusion of the Commissioner through the Administrative Law Judge that plaintiff was not disabled is reversed;

¹ “[#15]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

3. That this matter is remanded to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g);

4. That judgment shall enter in favor of plaintiff against defendant in accordance with Fed. R. Civ. P. 58 and consistent with the decision of the United States Supreme Court in ***Shalala v. Schaefer***, 509 U.S. 292, 296-302, 113 S.Ct. 2625, 2628-32, 125 L.Ed.2d 239 (1993); and

5. That plaintiff is awarded her costs to be taxed by the clerk of the court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1 and 28 U.S.C. § 2412(a)(1).

Dated November 12, 2105, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge