

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

Civil Action No. 15-cv-01369-REB

ABEL WAYNE ESPINOZA,

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 To Remand for Further Administrative Proceedings** [#15],¹ filed January 19, 2016. 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 To Remand for Further Administrative Proceedings** [#15], filed January 19, 2016, 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 and 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 his 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 January 20, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge