

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

Civil Action No. 16-cv-01665-REB

STEVEN D. BANKS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

ORDER FOR JUDGMENT AND REMAND

Blackburn, J.

The matter before me is **Defendant's Unopposed Motion To Remand** [#22],¹ filed December 9, 2016. By this motion, defendant requests 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, and being apprised of the premises, the court finds and concludes that the motion is well-taken and should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That **Defendant's Unopposed Motion To Remand** [#22], filed December 9, 2016, is granted,
2. That the conclusion of the Commissioner through the Administrative Law Judge that plaintiff was not disabled is reversed;

¹ "[#22]" 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 United States Supreme Court's decision 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 December 12, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge