

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

PAMELA ATKINS,

Plaintiff,

v.

CASE NO. 1:09-cv-00249-MP-AK

MICHAEL J ASTRUE,

Defendant.

ORDER

This matter is before the Court on Defendant's Motion to Remand, which is unopposed. (Doc. 13). Defendant has moved to remand this matter to the Commissioner under sentence six of 42 U.S.C. § 405(g) which provides that:

The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security...

The complaint in this cause was filed on December 4, 2009, and the Commissioner was served on December 12, 2009, but no answer has been filed. Defendant moves to remand this action because the hearing tape is partially blank and cannot be transcribed. Accordingly, it is,

ORDERED AND ADJUDGED:

That Defendant's motion to remand (doc. 13) be **GRANTED**, and this cause is hereby **REMANDED** to the Commissioner under sentence six for further proceedings by the Appeals Council. The parties are directed to file a Status Report on or before June 23, 2010, and every 90 days thereafter, advising the Court of the status of the administrative proceedings.

DONE AND ORDERED this 23rd day of March, 2010

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge