

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

COMER BRASCOM,

Plaintiff,

vs.

Case No. 4:18cv78-CAS

**NANCY A. BERRYHILL, Acting
Commissioner of Social
Security,**

Defendant.

_____ /

MEMORANDUM OPINION AND ORDER

This action was initiated under the Social Security Act to obtain judicial review of Defendant's final decision denying Plaintiff's claim for disability benefits. ECF No. 1. On May 22, 2018, Defendant filed an unopposed motion to reverse and remand this case pursuant to sentence four of Title 42 U.S.C. § 405(g). ECF No.15. See Shalala v. Schaefer, 509 U.S. 292 (1993).

Sentence four of section 405(g) states that "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). The Acting Commissioner states:

On remand, the Appeals Council will vacate its prior order of dismissal, consider the request for review as timely, and evaluate the Administrative Law Judge's decision pursuant to Agency policies.

ECF No. 15 at 2. This court concludes that good cause has been shown for this case to be reversed and remanded to the Acting Commissioner for further proceedings.

Accordingly, it is **ORDERED**:

Defendant's unopposed motion to reverse and remand, ECF No. 15, is **GRANTED** and the Acting Commissioner's decision denying benefits is **REVERSED** and this case is **REMANDED** to the Acting Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with this Memorandum Opinion and Order. The clerk is directed to enter **JUDGMENT** for Plaintiff.

IN CHAMBERS at Tallahassee, Florida, this May 24, 2018.

/s/ Charles A. Stampelos

CHARLES A. STAMPELOS
UNITED STATES MAGISTRATE JUDGE