

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LORETTA A. MIERZWA,)	
)	
Plaintiff,)	
)	No. 08 C 6390
v.)	
)	
MICHAEL J. ASTRUE, Commissioner of)	Magistrate Judge Ashman
Social Security,)	
)	
Defendant.)	

DEFENDANT’S MOTION TO ENTER JUDGMENT

NOW COMES Defendant, Michael J. Astrue, Commissioner of Social Security, and moves this Honorable Court to enter judgment, following the conclusion of proceedings pursuant to the Court’s remand under sentence six of 42 U.S.C. § 405(g), as further explained below.

1. On August 26, 2009, the court entered an order granting the parties’ stipulation for remand under sentence six of 42 U.S.C. § 405(g). (Dkt. 20.)
2. The proceedings on remand have been concluded, and the Commissioner has awarded Plaintiff continuing disability benefits beginning December 2006.
3. As the Supreme Court has noted, “[i]mmediate entry of judgment (as opposed to entry of judgment after postremand agency proceedings have been completed and their results filed with the court) is in fact the principal feature that distinguishes a sentence-four remand from a sentence-six remand.” *Shalala v. Schaefer*, 509 U.S. 292, 297 (1993).
4. Plaintiff does not oppose this motion.

5. Accordingly, the Commissioner respectfully moves the court to enter judgment affirming the Commissioner's decision.

Respectfully submitted,

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