

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RHONDA CARSON,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 15-cv-539-CJP¹
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Proud, Magistrate Judge:

This matter is now before the Court on the parties' Joint Stipulation to Remand to the Commissioner. **(Doc. 25)**.

The parties agree that this case should be remanded to the agency for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Schaefer v. Shalala*, 509 U.S. 292, 302-303 (1993).

¹ This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. §636(c). See, Doc. 18.

The parties agree that, upon remand, an ALJ will “hold a new administrative hearing; further evaluate and weigh the opinion evidence of record, with particular attention given to the rationale provided to support the ALJ’s findings; obtain medical expert testimony; evaluate Plaintiff’s subjective complaints in accordance with SSR 96-7p; evaluate Plaintiff’s maximum residual functional capacity; and, if warranted, obtain supplemental vocational expert evidence and consider that evidence consistent with SSR 00-4p.”

The Court notes that plaintiff applied for disability benefits in July 2007. (Tr. 15). Plaintiff’s application has now been pending for more than eight years. While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, the parties’ Joint Stipulation to Remand to the Commissioner (**Doc. 25**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Rhonda Carson’s application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence **four** of 42 U.S.C. §405(g).

The Clerk of Court is directed to enter judgment in favor of plaintiff.

IT IS SO ORDERED.

DATED: January 4, 2016.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE