

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

JEFF L. JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Civil No. 15-cv-1348-CJP ¹
)	
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’ Agreed Motion 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).

The parties agree that, on remand, the Appeals Council will instruct an Administrative Law Judge to reconsider plaintiff’s residual functional capacity,

¹ This case was referred to the undersigned for final disposition upon consent of the parties, pursuant to 28 U.S.C. §636(c). See, Doc. 10.

and in doing so will reconsider the weight given to the medical opinions, including the opinion of treating psychiatrist Quereshi. The ALJ will reconsider plaintiff's subjective complaints pursuant to SSR 16-3p and, if warranted, obtain additional vocational expert testimony in accordance with the applicable rules and regulations.

For good cause shown, the parties' Joint Motion to Remand (**Doc. 25**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Jeff L. Johnson's application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to **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: July 19, 2016.

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