

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

JEREMY DAVIS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 17-cv-216-JPG-CJP
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Before the Court is the parties’ Agreed Motion for Reversal with Remand to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. 22). 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 Corp. 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. *Shalala v. Schaefer*, 509 U.S. 292, 302-03 (1993).

For good cause shown, the parties’ Agreed Motion (Doc. 22) is **GRANTED**. The final decision of the Commissioner of Social Security denying Jeremy Davis’ 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.

The Court notes that plaintiff applied for disability benefits long ago in December 2012. (Tr. 14). While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

IT IS SO ORDERED.
DATED: August 28, 2017

s/ J. Phil Gilbert _____
J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE