

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

KELLY SCHUCHMANN,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 17-cv-317-JPG-CJP
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Before the Court is the parties’ Agreed Motion for Remand to the Commissioner. (Doc. 22). The parties agree that this case should be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand is appropriate when the Court finds an error by the administrative law judge; it is 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, upon remand, “the ALJ will offer Plaintiff the opportunity for a hearing and will receive additional evidence. After reevaluating the evidence, the ALJ will issue a new decision regarding the disability application. In particular, the Administrative Law Judge will clarify whether Stephanie Van Ulft, M.D., is a treating medical source; reconsider the medical opinions consistent with 20 CFR §§ 404.1527 and 416.927; reconsider the claimant’s mental residual functional capacity; if necessary, obtain supplemental evidence from a vocational expert; and offer the claimant a supplemental hearing; and issue a new decision.”

Plaintiff applied for disability benefits in December 2012. (Tr. 19.) While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, parties' Agreed Motion for Remand to the Commissioner (Doc. 22) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Kelly Schuchmann'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: October 24, 2017

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE