

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

SHERRI L. HOWARTH,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL NO. 17-cv-726-JPG-CJP
	)	
NANCY A. BERRYHILL, Acting	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Before the Court is the parties’ Joint Motion for Remand (Doc. 15). The parties ask that this case be remanded 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 Corp. Comprehensive Disability Prot. 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).

The parties agree that, upon remand, “the Appeals Council will remand the matter to an ALJ for a new hearing and decision. On remand, the ALJ will re-evaluate the medical opinions; reevaluate the claimant’s RFC, with citation to the medical evidence that supports the limitations assessed; and, if warranted, obtain additional vocational evidence.”

Plaintiff applied for disability benefits in May 2013. (Tr. 17.) 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 Motion for Remand (Doc. 15) is **GRANTED**. The final decision of the Commissioner of Social Security denying Sherri L. Howarth’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: February 12, 2018**

s/ J. Phil Gilbert

**J. PHIL GILBERT**

**UNITED STATES DISTRICT JUDGE**