

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