

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

MICHAEL L. MURPHY,)	
)	
Plaintiff,)	
)	
vs.)	Civil No. 17-cv-951-JPG-CJP
)	
COMMISSIONER of SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Before the Court is the parties’ Joint Motion for Remand for Further Proceedings Pursuant to Sentence Four of 42 U.S.C. § 405(g). (Doc. 22).

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 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. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, “On remand, the ALJ will reevaluate the record medical opinions; re-evaluate the claimant’s mental RFC, with citation to the medical evidence that supports each of the limitations assessed; re-evaluate the claimant’s subjective statements under SSR 16-3p; and, if warranted, obtain additional vocational evidence.”

Plaintiff applied for disability benefits in September 2013. (Tr. 26). 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. 22) is **GRANTED**.

The final decision of the Commissioner of Social Security denying plaintiff'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: MAY 29, 2018

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