

**UNITED STATES DISTRICT COURT
EASTEN DISTRICT OF LOUISIANA**

WILLIAM RYAN,

Plaintiff,

v.

**NANCY A. BERRYHILL, ACTING
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 17-02902

SECTION: "A" (2)


ORDER

BEFORE THE COURT is the Motion to Remand filed by Acting Commissioner of the Social Security Administration, Nancy A. Berryhill (the Commissioner). The Commissioner seeks remand for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). Under sentence four of 42 U.S.C. § 405(g), the Court has the power “to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing.” *See Melkonyan v. Sullivan*, 501 U.S. 89, 97-98 (1991). After review of the Motion, the record in this matter, and the applicable law, the Court finds that further development in this case is necessary so that the Commissioner may further evaluate Plaintiff’s impairments.

Thus, the Motion to Remand is GRANTED and this matter will be REMANDED to the Commissioner’s Appeals Council. Should the Appeals Council remand to an administrative law judge (ALJ), the ALJ will conduct further proceedings and/or develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, including, if necessary, conducting a new hearing and issuing a new decision.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Motion to Remand filed by the Acting Commissioner of Social Security Nancy A. Berryhill is **GRANTED**.

SO ORDERED AND ADJUDGED November 20th, 2017.



JAY C. ZAINERY
UNITED STATES DISTRICT JUDGE