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U.S. DISTRICT COURT OF LA
WESTERN DISTRICT OF LOUISIANA
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DATE 2, 20, 09
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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

LAURA THIBEAUX,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration,
Defendant.

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CIVIL NO. 6:08-cv-00470-RTH-CMH

ORDER

After consideration of Defendant's Unopposed Motion For Remand, pursuant to sentence six of the Social Security Act, 42 U.S.C. § 405(g), filed by the Commissioner of Social Security, Defendant herein, the Court finds that the Motion is well-taken and should be GRANTED.

It is therefore ORDERED, ADJUDGED, and DECREED that this cause be REMANDED to the Commissioner of Social Security under sentence six of the Social Security Act, 42 U.S.C. § 405(g), because the recording(s) of the hearing held on October 2, 2007, cannot be located at this time. Upon receipt of the Court's order, the Appeals Council will continue to search for the missing recording. If the recording cannot be located in a reasonable period of time, however, the Appeals Council will remand the case to an Administrative Law Judge for a *de novo* hearing, pursuant to sentence six of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Signed this 18th day of February, 2009.

Richard V. Houle

MICHAEL HILL
UNITED STATES MAGISTRATE JUDGE