

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

ANGELA CLYBURN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-CV-175-SPM
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security)	
)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Acting Commissioner Carolyn W. Colvin’s (“the Commissioner’s”) Motion to Reverse and Remand the case to the Commissioner for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). (Doc. 14). Plaintiff has filed a response stating that she has no objection to the motion. (Doc. 15). The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). (Doc. 5).

On October 5, 2015, Plaintiff filed a Complaint seeking review of the Commissioner’s decision that Plaintiff was not under a disability within the meaning of the Social Security Act. (Doc. 1). The Commissioner filed her answer and the transcript of the administrative proceedings on December 11, 2015. (Docs. 9 & 10). Plaintiff filed a brief in support of the complaint on January 11, 2016. (Doc. 11).

On March 8, 2016, the Commissioner filed the instant motion to reverse and remand the case to the Commissioner for further action under sentence four of section 205(g) of the Social Security Act, which permits the Court “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.” 42 U.S.C. § 405(g). The Commissioner states that after careful review of the record, the Commissioner has determined that remand is appropriate for further consideration of Plaintiff’s claims. The Commissioner further represents in her motion that “[u]pon receipt of the Court’s remand order, the Appeals Council of the Social Security Administration will remand this case to the ALJ for further review” and that “[o]n remand, the ALJ will be instructed to obtain additional vocational expert testimony to address and resolve any inconsistencies with the Dictionary of Occupational Titles and companion publications, as required by Social Security Ruling 00-4p, specifically with regard to Plaintiff’s limitation to occasional use of her left, non-dominant, hand above shoulder level.” Doc. 14, at 1.

Upon review of Plaintiff’s brief in support of her complaint, the ALJ’s decision, and the Commissioner’s motion, the Court agrees with the parties that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

IT IS HEREBY ORDERED that the Commissioner’s Motion to Reverse and Remand (Doc. 14) is **GRANTED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that decision of the Commissioner of Social Security is **REVERSED** and that this case is **REMANDED** under Sentence Four of 42 U.S.C. § 405(g) for reconsideration and further proceedings consistent with this opinion.



SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 10th day of March, 2016.