

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

THADDEUS L. ROGERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-CV-103 NAB
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant’s Motion to Reverse and Remand with Suggestions in Support. [Doc. 21.] Plaintiff filed a response stating that he had no objection to Defendant’s Motion. [Doc. 22.] The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). [Doc. 7.]

On November 3, 2014, Plaintiff filed this action seeking judicial review of Defendant’s denial of Plaintiff’s application for disability insurance benefits and supplemental security income under the Social Security Act. [Doc. 1.] Defendant filed an Answer and the Certified Administrative Transcript. [Docs. 10, 11.] On March 3, 2015, Plaintiff filed a Brief in Support of the Complaint. [Doc. 16.] On May 20, 2015, Defendant filed a Motion to Reverse and Remand with Suggestions in Support. [Doc. 21.]

In the motion requesting reversal and remand, Defendant requests that the Court enter a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure reversing the administrative law judge’s decision and remanding this case to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g). In support of her motion, Defendant states that remand is

necessary to allow the Commissioner to properly consider Plaintiff's claim and could make further judicial review unnecessary. Upon remand, the Appeals Council will remand this case to the administrative law judge and direct him or her to (1) update the record as necessary regarding Plaintiff's past relevant work and (2) obtain evidence from a vocational expert regarding the claimant's past relevant work and his ability to perform his past relevant work, as well as any other jobs that may exist in significant numbers in the national economy. Based on the foregoing, the Court will grant Defendant's Motion to Reverse and Remand with Suggestions in Support.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Reverse and Remand with Suggestions in Support is **GRANTED**. [Doc. 21.]

A Judgment will be entered in a separate document.

Dated this 21st day of May, 2015.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE