

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WILLIAM VOGT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:14-CV-713-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. 21). Plaintiff has not filed a response. The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). (Doc. 8).

On April 9, 2014, 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 June 11, 2014. (Docs. 11, 12). Plaintiff filed a brief in support of the complaint on July 11, 2014. (Doc. 13).

On October 15, 2014, 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 represents in her motion that upon review of the record, agency counsel requested that the Appeals Council of the Social Security Administration reconsider the Commissioner’s decision, and that the Appeals Council then determined that remand was appropriate. The Commissioner states that “[u]pon receipt of the Court’s remand order, the Appeals Council will remand this case to the Administrative Law Judge (ALJ) who will be directed to evaluate Plaintiff’s mental impairments, reassess Plaintiff’s residual functional capacity (RFC), evaluate all of the medical opinion evidence, and not give any weight to assessments completed by single decision makers (SDMs).”

Upon review of Plaintiff’s brief in support of his complaint, the ALJ’s decision, and the Commissioner’s motion, the Court agrees with the Commissioner 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. 21) is **GRANTED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that decision of the defendant Acting 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.

/s/Shirley Padmore Mensah
SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 27th day of October, 2014.