

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WENDY WILSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:14-CV-1308-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. 27). Plaintiff has filed a response stating that she has no objection to the motion. (Doc. 28). The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). (Doc. 6).

On July 25, 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 September 29, 2014. (Docs. 10 & 11). The parties subsequently filed briefs in the case. (Docs. 14, 19, 22, 25).

On March 31, 2015, 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 she states that upon receipt of the Court’s remand order, the Appeals Council will remand this case to the ALJ. The Commissioner requests remand “to obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on Plaintiff’s ability to perform her past relevant work, or other work in the national economy, specifically addressing any conflicts between such evidence and the Dictionary of Occupational Titles.”

Upon review of the parties’ briefs and the ALJ’s decision, 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. 27) is **GRANTED**.

IT IS FURTHER ORDERED that the oral argument scheduled in this case for Friday, June 5, 2015, at 9:30 a.m., is **CANCELLED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the 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.

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

Dated this 13th day of April, 2015.