

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

CHRISTOPHER JONES,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:23-cv-01416 PLC
)	
MARTIN O’MALLEY,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Martin O’Malley’s motion to reverse the decision of the Administrative Law Judge (ALJ) and remand the case to Defendant for further administrative proceedings pursuant to sentence four of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g). [ECF No. 17] Plaintiff has not filed a response to the motion and the time to do so has passed.

On November 6, 2023, Plaintiff filed a complaint seeking review of Defendant’s final decision denying Plaintiff’s application for Disability Insurance Benefits under the Social Security Act. [ECF No. 1] Defendant filed a transcript of the administrative proceedings, and Plaintiff filed a brief in support of the complaint, as well as a statement of material facts. [ECF Nos. 9, 16, 16-1]

In the instant motion, Defendant requests the Court reverse and remand the case for further action under sentence four of section 405(g) of the Social Security Act, which authorizes the Court to enter “a judgment affirming, modifying, or reversing the decision of the Secretary, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). See also Buckner v. Apfel,

213 F.3d 1006, 1010 (8th Cir. 2000). Defendant represents that, upon review, agency counsel determined that remand is necessary “for further evaluation of Plaintiff’s claim.” [ECF No. 17] More specifically, Defendant states that on remand the ALJ “will further evaluate [Plaintiff’s] residual functional capacity and proceed as necessary in the sequential evaluation process.” [ECF No. 17]

Based on the record, the Court grants Defendant’s unopposed motion to reverse the ALJ’s decision and remand this matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

IT IS HEREBY ORDERED that Defendant’s unopposed motion to reverse and remand [ECF No. 17] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this date.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 28th day of August, 2024