

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

KATRINA R. MITCHELL,)	
)	
Plaintiff,)	
)	
v.)	No. 08-0925-SSA-CV-W-WAK
)	
MICHAEL J. ASTRUE, Commissioner,)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Before the court is the Commissioner's motion of June 3, 2009, requesting the court to enter a final judgment, pursuant to Rule 58 of the Federal Rules of Civil Procedure, reversing the decision of the Administrative Law Judge (ALJ) and remanding this case to the Commissioner under sentence four of 205(g), 42 U.S.C. § 405(g). The Commissioner states that, upon remand, the ALJ will be directed to further develop the record regarding plaintiff's intellectual functioning, including ordering a psychological examination with IQ testing, and directed to evaluate plaintiff's mental impairment under the Listings.

Claimant Mitchell opposes a remand and asks the court to reverse the decision of the ALJ. Mitchell seeks an order with directions to grant her claim for a period of disability, disability insurance benefits and Supplemental Security Income benefits commencing in July 2002.

After consideration of the record and the parties' suggestions, the court finds that a remand, pursuant to sentence four, is warranted. Remand will expedite administrative review and allow the Commissioner to properly consider the claim. Accordingly, it is

ORDERED that the decision of the ALJ is reversed, and this case is remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for a proper consideration of Katrina R. Mitchell's claim. [8]

Dated this 13th day of July, 2009, at Jefferson City, Missouri.

/s/ William A. Knox

WILLIAM A. KNOX
United States Magistrate Judge