

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

| | | |
|----------------------------------|---|--------------------------|
| MARILYN M. CANTRELL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 10-3098-SSA-CV-S-MJW |
| |) | |
| MICHAEL J. ASTRUE, Commissioner, |) | |
| Social Security Administration, |) | |
| |) | |
| Defendant. |) | |

ORDER

Before the court is the Commissioner's motion of November 4, 2010, 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 42 U.S.C. § 405(g).

The Commissioner states that, upon remand, the ALJ will be directed to properly assess plaintiff's residual functional capacity (RFC), including appropriate restrictions to account for plaintiff's social limitations, and determine whether plaintiff can perform any past work or other work that exists in significant numbers in the national economy based on the vocational expert's response to a hypothetical question that includes all the limitations in the RFC assessment. Plaintiff consents to a remand.

After consideration of the record, 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 plaintiff's claim. [11]

Dated this 10th day of November, 2010, at Jefferson City, Missouri.

/s/ Matt J. Whitworth

MATT J. WHITWORTH
United States Magistrate Judge