UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00549-RJC

JONATHAN E. HENDERSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	**ORDER**
CAROLYN W. COLVIN,	)	
Acting Commissioner of	)	
Social Security Administration,	)	
	)	
Defendant.	)	
	)	

THIS MATTER comes before the Court on Defendant's Consent Motion for Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g). (Doc. No. 13). Under sentence four of 42 U.S.C. § 405(g), "[t]he court shall have the power 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." See also Shalala v. Schaefer, 509 U.S. 292, 296–97 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991).

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant's request to remand this action for further administrative proceedings, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings, including a supplemental hearing.

Upon remand, the Administrative Law Judge ("ALJ") shall hold a supplemental hearing; take any action needed to complete the administrative record; obtain further vocational expert

testimony if necessary; and issue a new decision. The ALJ is directed to evaluate and explain what weight is afforded to all opinions found in the record; evaluate anew Plaintiff's impairments in accordance with Social Security regulations; reevaluate whether Plaintiff's impairments meet a Listing; further consider Plaintiff's residual functional capacity; further evaluate Plaintiff's subjective complaints; and address and resolve any apparent conflicts in the record.

Because this matter is hereby remanded to the Commissioner, Plaintiff's Motion for Summary Judgment, (Doc. No. 11), is moot and shall be dismissed.

IT IS, THEREFORE, ORDERED, for good cause shown, that:

1. Defendant's Consent Motion for Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), (Doc. No. 13), is **GRANTED**. The Court hereby **REVERSES** the decision of the Commissioner and **REMANDS** this case for further administrative proceedings.
2. Plaintiff's Motion for Summary Judgment, (Doc. No. 11), is **DISMISSED as moot**.
3. The Clerk of the Court is directed to enter a separate judgment pursuant to Federal Rule of Civil Procedure 58 and to close this case.

Signed: January 26, 2017

Robert J. Conrad, Jr.
United States District Judge