

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Nekia Shantal Simon,	)	C/A No. 0:13-1707-JFA-PJG
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
Carolyn W. Colvin, Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	
_____	)	

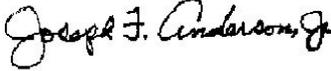
Upon consideration of Defendant’s Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), the Court hereby reverses the Commissioner’s decision in this matter under sentence four of 42 U.S.C. § 405(g), and remands the cause to the Commissioner for further administrative proceedings.

Plaintiff submitted new evidence to this Court showing that she had changed her address and appointed representative in November 2012. For reasons unknown, this information was not received into the Social Security electronic file. Based on this error, the Order of Dismissal (for failure to appear at the administrative hearing), and notice denying request for review were sent to the wrong address, and Plaintiff’s representative received no notification of these Social Security administrative proceedings.

Accordingly, on order of the Court, the agency’s Appeals Council will remand the case to an Administrative Law Judge with instructions to develop the record to determine if Plaintiff had good cause for failing to appear at her administrative hearing.

IT IS SO ORDERED.

June 19, 2014  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge