

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

Carol Ann Brown,) C/A No.: 1:15-4349-JMC-SVH
)
Plaintiff,)
)
vs.) ORDER
)
)
Carolyn W. Colvin, Acting)
Commissioner of Social Security,)
)
Defendant.)
_____)


Defendant, Carolyn W. Colvin, Acting Commissioner of the Social Security Administration (“Commissioner”), by her attorneys, Beth Drake, Acting United States Attorney, and Marshall Prince, Assistant United States Attorney for the District of South Carolina, has moved this court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 22]. The movant represents that Plaintiff’s counsel, Paul McChesney, consents to the motion. *Id.*

By order of the court, this case is remanded to the Appeals Council. The Appeals Council will direct the Administrative Law Judge (“ALJ”) for further evaluation and, if necessary, a new administrative hearing. Based on the updated record, the ALJ will be further instructed to issue a new decision, which conclusively determines whether Plaintiff is under a disability, as defined in the Social Security Act.

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 the Commissioner's request for remand of this action for further proceedings, this 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 as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). The Clerk of Court is directed to enter a separate judgment pursuant to the Fed. R. Civ. P. 58.

IT IS SO ORDERED.



August 10, 2016
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge