

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

ORDER

Upon consideration of Defendant's Motion for Entry of Judgment with Order of Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) (2009), and upon consent of the Plaintiff, the Court hereby REVERSES the Commissioner's decision in this matter and REMANDS the cause to the Defendant for further administrative proceedings as set forth below. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).¹

On remand by the Court, the Appeals Council will vacate the August 31, 2009 administrative decision and remand the matter to an Administrative Law Judge (ALJ), with instructions to provide Plaintiff with a *de novo* hearing and to consider the opinions of Dr. Browning and to reconcile the residual functional capacity with the vocational expert evidence.

AND IT IS SO ORDERED.

Joseph R. McCrorey
United States Magistrate Judge

September 10, 2010.
Columbia, South Carolina.

¹The Clerk of the Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.