

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

The Defendant, Nancy A. Berryhill, Acting Commissioner of Social Security, 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.

On remand, the Acting Commissioner, through the Appeals Council, will refer Plaintiff's case to an ALJ for further administrative proceedings including, but not limited to, completion of the administrative record, identifying for Plaintiff all of the evidence to be considered, providing Plaintiff an opportunity to review and offer any objections to the exhibits entered into evidence, the opportunity for a new hearing, and a new decision.

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.<sup>1</sup> *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

**AND IT IS SO ORDERED.**



Richard M. Gergel  
United States District Judge

September 26, 2017.

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<sup>1</sup>The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.