

FILED
U.S. DISTRICT COURT
DEC 28 PM 1:25

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

EMILIO M. ABEYTA

Plaintiff,

vs.

MICHAEL J. ASTRUE

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING MOTION TO
REMAND TO SOCIAL SECURITY
ADMINISTRATION

Case No. 1:09-CV-113 TS

This matter is before the Court on the Defendant's motion to remand to the social security administration. The motion is unopposed and therefore will be granted by the Court pursuant to sentence four of 42 U.S.C. § 405(g). It is therefore

ORDERED that Defendant's Motion to Remand (Docket No. 13) is GRANTED. The clerk of court is directed to enter a judgment in accordance with Fed. R. Civ. P. 58 and consistent with the decision of *Shalala v. Schaefer*, 509 U.S. 292, 296-302 (1993).

DATED December 28, 2009.

BY THE COURT:



TED STEWART
United States District Judge