
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

FRANKLIN JENKINS,

Plaintiff,

vs.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

Court No. 2:16-cv-01114-BCW

**MEMORANDUM DECISION AND
ORDER GRANTING UNOPPOSED
MOTION TO REVERSE AND
REMAND AND CLOSING THE CASE**

Magistrate Judge Brooke C. Wells

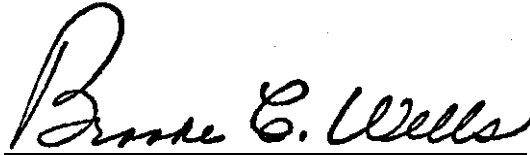
Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings. On order of the Court, the Social Security Administration's Appeals Council will vacate the administrative law judge's (ALJ's) decision and instruct the ALJ to conduct a de novo review.

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** to the Commissioner for further administrative proceedings as set forth above.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

The Clerk of Court is directed to close this case.

DATED this 4 May 2017.

A handwritten signature in black ink, reading "Brooke C. Wells". The signature is written in a cursive style with a large initial "B".

Brooke C. Wells
United States Magistrate Judge

¹The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.