

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DEBORAH S. REED,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 05-1049-WEB
)	
JO ANNE B. BARNHART,)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

ORDER ON MOTION TO REMAND

Now before the Court is Defendant's unopposed motion to remand. After reviewing the file and Defendant's motion, the court finds that remand is appropriate.

Upon receipt of this Order, the Appeals Council will remand this case to the Administrative Law Judge (ALJ) who will hold a new hearing and conduct further proceedings. He will consider the severity and resulting limitations of Plaintiff's COPD and asthma, and whether, either singly or in combination with her other impairments, they meet or equal the requirements of a listed impairment. In addition, the ALJ will consider Plaintiff's residual functional capacity in accordance with Social Security Ruling (SSR) 96-8p, obtain supplemental vocational expert testimony and clarify the conflict between the vocational expert testimony and information found in The Dictionary of Occupational Titles (D.O.T.). Also, upon remand the ALJ will consider the additional medical evidence submitted by Plaintiff's representative.

IT IS THEREFORE ORDERED that Defendant's motion (Doc 12) be GRANTED and the original decision of the ALJ be reversed and remanded to the Commissioner pursuant to sentence four of

42 U.S.C. § 405(g).

IT IS FURTHER ORDERED that final judgment be entered for the Plaintiff. Entry of this order reversing and remanding this case will begin the appeal period which determines the 30 day period during which a timely application for attorney fees may be made under the Equal Access to Justice Act (EAJA).

IT IS SO ORDERED this 2nd day of March, 2006.

s/ Wesley E. Brown
WESLEY E. BROWN
U.S. DISTRICT COURT JUDGE