

FOR THE DISTRICT OF KANSAS

JANET L. ANDREWS, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil No. 05-1079-MLB  
 )  
 JO ANNE B. BARNHART, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

**ORDER ON MOTION TO REMAND**

Now on this 27<sup>th</sup> day of September, 2005, Defendant's Motion to Reverse and Remand and for Final Judgment and Plaintiff's Response to Defendant's Motion come before the court. Defendant appears by its attorney Robin B. Moore, Assistant U.S. Attorney; plaintiff appears by her attorney, Daniel A. Parmele. There are no other appearances.

After review of the file, Defendant's Motion to Reverse and Remand and for Final Judgment and Plaintiff's Response therein, the court finds that the remand is appropriate in this case.

IT IS THEREFORE ORDERED that the original decision of the ALJ is reversed and the case is remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS ORDERED FURTHER that this judgment shall constitute a final judgment under Rule 58 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that upon receipt of this Order, the Appeals Council will remand Plaintiff's case to an ALJ. The Appeals Council will instruct the ALJ to obtain evidence from a vocational expert to determine to what extent the assessed exertional and nonexertional limitations (including, but not limited to, balancing, pushing and pulling, and lapses in concentration) may erode the occupational base for

sedentary work. In posing the hypothetical questions to the vocational expert, the ALJ will include all of Plaintiff's exertional and nonexertional limitations as supported by the evidence of record and articulate the limitations in work-related terms pursuant to 20 C.F.R. §§ 404.1545 and 416.945.

IT IS SO ORDERED.

s/Monti Belot

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MONTI L. BELOT  
U.S. DISTRICT COURT JUDGE

**S/Robin B. Moore**

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