

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ROBERT F. URBAN,)
)
)
Plaintiff,)
)
v.) Civil Action No. 05-1168-MLB
)
JO ANNE B. BARNHART,)
COMMISSIONER OF)
SOCIAL SECURITY,)
)
Defendant.)

**ORDER ON MOTION TO REVERSE AND REMAND AND
FOR ENTRY OF FINAL JUDGMENT**

Now on this 29th day of November, 2005, Defendant's Motion to Reverse and Remand and for Entry of Final Judgment pursuant to Sentence Four of 42 U.S.C. §405(g) comes before the court. Defendant appears by its attorney Laurie K. Kahrs, Assistant U.S. Attorney; plaintiff does not appear. There are no other appearances.

After review of the file and Motion, the court finds that Agency counsel requested that the Appeals Council accept remand voluntarily. The Appeals Council has agreed to remand Plaintiff's case to an ALJ for further development and will give further consideration to steps four and five of the sequential evaluation process and evaluate Plaintiff's ability to return to his past relevant work. Plaintiff does not object to the proposed remand.

IT IS THEREFORE ORDERED that good cause exists to reverse and remand the case to the Commissioner for appropriate action to produce a record pursuant to Sentence Four of 42 U.S.C. § 405(g). The case is, therefore, reversed and final judgment is entered pursuant to Fed.R.Civ.P. 58.

IT IS ORDERED FURTHER that upon receipt of the Court's remand order, the Appeals Council will remand the case to an Administrative Law Judge to conduct a *de novo* hearing.

IT IS SO ORDERED.

s/Monti Belot

MONTI L. BELOT
U.S. DISTRICT COURT JUDGE

s/Laurie K. Kahrs

LAURIE K. KAHRs, #17249
Assistant U.S. Attorney
1200 Epic Center, 301 N. Main
Wichita, KS 67202
(316) 269-6481
(316) 269-6484 (FAX)
laurie.kahrs@usdoj.gov