

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

CAROL HALE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-1265-MLB
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER OF	)	
SOCIAL SECURITY,	)	
	)	
Defendant.	)	

**ORDER ON MOTION TO REMAND**

Now on this 9<sup>th</sup> day of December, 2005, Defendant's Motion to Remand Pursuant to Sentence Six and Plaintiff's Response come before the court. Defendant appears by its attorney Emily B. Metzger, Assistant U.S. Attorney; plaintiff appears by her attorney, John L. Brennan. There are no other appearances.

After review of the file, Defendant's Motion to Remand, Memorandum in Support and Plaintiff's Response therein, the court finds that the case should be remanded to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g).

IT IS THEREFORE ORDERED that upon receipt of this Order, the Appeals Council shall remand this case to an administrative law judge (ALJ). The ALJ will obtain additional vocational expert testimony to determine whether Plaintiff can, in fact, perform past relevant work, given the specific requirements of the position and Plaintiff's limitations in work environments requiring close attention to detail.

IT IS FURTHER ORDER that the original decision of the ALJ is reversed and the case is remanded to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g). The Court retains

jurisdiction of the case and will not enter a final judgment until after post remand proceedings are completed and the Commissioner has filed with the Court any such additional findings of fact and decision.

IT IS FURTHER ORDERED that THE 30-day period during which a timely application for attorney fees may be made under the Equal Access to Justice Act (EAJA) will not begin until after remand proceedings are completed, the Commissioner returns to Court, and the Court has entered a final judgment.

IT IS SO ORDERED.

s/Monti Belot

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MONTI L. BELOT  
U.S. DISTRICT COURT JUDGE

**s/Emily B. Metzger**

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS  
HALE V. SSA  
CIVIL ACTION NO. 05-1265-MLB  
ORDER ON MOTION TO REMAND

**s/John L. Brennan**

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