

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

GRETA CLEMENTS,

Plaintiff,

v.

**ANDREW M. SAUL, Commissioner of
the Social Security Administration,**

Defendant.

Case No. 20-1351-DDC

MEMORANDUM AND ORDER

Defendant’s Unopposed Motion to Remand for Further Proceedings (Doc. 13) asks “this Court to enter an order reversing and remanding this case for additional administrative proceedings, which will include holding a new hearing and issuing a new decision.” Doc. 13 at 1. Defendant “further asks the Court to specify . . . that the case is being reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g), and to direct the Clerk of the Court to enter a judgment in accordance with Fed. R. Civ. P. 58, consistent with” *Shalala v. Schaefer*, 509 U.S. 292 (1993). *Id.* at 1–2 (citing *Shalala*, 509 U.S. at 296–302 (holding that a sentence four remand order is a final judgment)).

Upon consideration of defendant’s unopposed motion (Doc. 13), and for good cause appearing, the court reverses the Commissioner’s decision in this matter under sentence four of 42 U.S.C. § 405(g), and remands the cause to the Commissioner for further administrative proceedings. Consistent with the Supreme Court’s holding in *Shalala*, the Clerk of the Court is directed to enter a separate judgment under Fed. R. Civ. P. 58. *Shalala*, 509 U.S. at 296–302.

IT IS THEREFORE ORDERED BY THE COURT that the Commissioner's decision is REVERSED under sentence four of 42 U.S.C. § 405(g) and REMANDED to the Commissioner for further administrative proceedings, including holding a new hearing and issuing a new decision.

IT IS FURTHER ORDERED BY THE COURT that the Clerk of the Court will enter a separate judgment under Fed. R. Civ. P. 58.

IT IS SO ORDERED.

Dated this 12th day of May, 2021, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge