

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STANLEY SLOAN,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration

Defendant.

Civil Action No. 09-482 (CKK)

MEMORANDUM OPINION

(November 30, 2009)

Plaintiff, Stanley Sloan, filed the above-captioned matter on March 12, 2009, seeking judicial review of a final decision by the Defendant, Michael J. Astrue, Commissioner of the Social Security Administration, denying Plaintiff's claim for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act, 42 U.S.C. § 401 *et seq.* Thereafter, on October 30, 2009, Plaintiff moved the Court for a judgment of reversal against the Defendant or, in the alternative, for remand to the Social Security Administration for a new administrative hearing. *See* Pl.'s Mot. for J. of Reversal, Docket No. [14]. On November 27, 2009, Defendant responded by filing a consent motion requesting that the Court enter judgment reversing the Defendant's final decision and remanding the case for further administrative proceedings, pursuant to 42 U.S.C. § 405(g). *See* Def.'s Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), Docket No. [15]. Defendant represents that Plaintiff's counsel has consented to the Defendant's motion for remand. *Id.* at 2.

Upon consideration of the Defendant's motion, the positions of the parties as stated therein, the relevant case law and statutory provisions, and the record of this case as a whole, the Court shall GRANT Defendant's [15] Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g). Accordingly, the Defendant's final decision is reversed, and this case is remanded to the Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Finally, given the Court's decision above granting Defendant's consent motion to remand, the Court shall DENY as MOOT Plaintiff's [14] Motion for Judgment of Reversal. An appropriate Order accompanies this Memorandum Opinion.

Date: November 30, 2009

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge