

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

AMBER DAWN FOREMAN,

Plaintiff,

v.

Case No.: 8:23-cv-2384-AAS

MARTIN O'MALLEY,
Commissioner of Social Security
Administration,

Defendant.

_____ /

ORDER

The Commissioner of Social Security (Commissioner) moves to remand this case for further action under sentence four of 42 U.S.C. § 405(g). (Doc. 22). This request is unopposed. (*Id.* at p. 2).

The Commissioner requests remand with entry of judgment for these reasons:

Upon remand, the Social Security Administration's Appeals Council will instruct the Administrative Law Judge to seek supplemental vocational expert evidence to determine whether there are a significant number of jobs in the national economy that Plaintiff can perform; before relying on the vocational expert evidence, identify and resolve any conflicts between the occupational evidence provided by the vocational expert and information in the *Dictionary of Occupational Titles (DOT)* (Social Security Ruling 00-4p (2000)); give Plaintiff an opportunity for a hearing; and issue a new decision.

(*Id.* at p. 1). Section 405(g) of the Social Security Act provides “[t]he Court

shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the [Commissioner], with or without remanding the cause for a rehearing.” See *Shalala v. Schaefer*, 509 U.S. 292 (1993).

Accordingly, the Commissioner’s unopposed motion for entry of judgment with remand (Doc. 22) is **GRANTED**. The Clerk of Court is **DIRECTED** to enter judgment in favor of the plaintiff and close the file.

ENTERED in Tampa, Florida on May 16, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge