

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

|                               |   |                            |
|-------------------------------|---|----------------------------|
| EDMUND M. PENDLETON,          | ) |                            |
| Plaintiff,                    | ) |                            |
|                               | ) |                            |
| v.                            | ) | Civil No. 1:13-cv-00137-NT |
|                               | ) |                            |
| CAROLYN W. COLVIN,            | ) |                            |
| Acting Commissioner of Social | ) |                            |
| Security,                     | ) |                            |
| Defendant.                    | ) |                            |

**ORDER**

Under sentence six of 42 U.S.C. § 405(g), the Court “may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner’s Answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security . . . .” Pursuant to this power, and in light of the government’s request to remand this action for further administrative proceedings,

IT IS HEREBY ORDERED that upon the remand of this case by the Court, the Appeals Council will remand this case to the Administrative Law Judge (“ALJ”) and instruct the ALJ to conduct a *de novo* hearing and issue a new decision.

Therefore, this Court hereby remands the Commissioner’s decision under sentence six of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v.

Sullivan, 501 U.S. 89 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED.**

/s/Nancy Torresen  
UNITED STATES DISTRICT JUDGE

Dated this 8<sup>th</sup> day of May, 2013.

**Plaintiff**

**EDMUND M PENDLETON**

represented by **DAVID A. CHASE**  
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*LEAD ATTORNEY*  
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V.

**Defendant**

**SOCIAL SECURITY  
ADMINISTRATION  
COMMISSIONER**

represented by **MOLLY E. CARTER**  
SOCIAL SECURITY  
ADMINISTRATION  
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**Interested Party**

**SOCIAL SECURITY  
ADMINISTRATION**