

September 20, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-60070
Summary Calendar

SHEILA D. RICHARDSON,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART, COMMISSIONER OF SOCIAL SECURITY

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:03-CV-78-SAA

Before BENAVIDES, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:*

Sheila D. Richardson appeals the affirmance of the Commissioner's denial of her claim for disability benefits. The Commissioner has filed an unopposed motion to remand pursuant to the fourth sentence of 42 U.S.C. § 405(g) to allow reconsideration of the denial of benefits.

A remand pursuant to the fourth sentence of 42 U.S.C. § 405(g) requires that this court also enter a judgment affirming, reversing, or modifying the Commissioner's decision.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

See Shalala v. Schaefer, 509 U.S. 292, 296-97 (1993). Therefore, we REVERSE the district court's judgment, GRANT the motion to remand, and REMAND to the district court with instructions to remand to the Commissioner for rehearing.