

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
ARKANSAS, FAYETTEVILLE DIVISION

Angel Joy Ashby v. Frank Bisignano, Commissioner, Social Security  
Administration

Civil No. 26-05033 (W.D. Ark. June 5, 2026) · No. Civil No. 26-05033 · Decided June 5, 2026

SUMMARY

The court grants the Commissioner's unopposed motion to reverse and remand an action seeking judicial review of the denial of disability insurance benefits. The case is remanded to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

CASE DETAILS

|                       |                                                                                                                                                                                                                                                   |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Arkansas, Fayetteville Division                                                                                                                                                          |
| WRITING FOR THE COURT | Christy Comstock                                                                                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the Western District of Arkansas, Fayetteville Division                                                                                                                                                          |
| DECIDED               | June 5, 2026                                                                                                                                                                                                                                      |
| DOCKET                | Civil No. 26-05033                                                                                                                                                                                                                                |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of disability insurance benefits. The Commissioner filed an unopposed motion for reversal and sentence-four remand for further administrative proceedings. |
| STANDARD OF REVIEW    | Judicial review under 42 U.S.C. § 405(g); the court reviewed the administrative record and determined that further evaluation of the evidence by the administrative law judge was appropriate.                                                    |
| PRECEDENTIAL VALUE    | Unpublished district court memorandum opinion                                                                                                                                                                                                     |
| PARTIES               | Angel Joy Ashby v. Frank Bisignano, Commissioner, Social Security Administration                                                                                                                                                                  |

TOPICS

- judicial review of agency action
- agency adjudication
- administrative law
- civil procedure

## PRACTICE AREAS

Social Security

administrative law

civil procedure

## QUESTIONS PRESENTED

1. Whether the court should grant the Commissioner's unopposed motion for reversal and remand under sentence four of 42 U.S.C. § 405(g).
2. Whether remand was appropriate to allow the administrative law judge to further evaluate the evidence.

## HOLDINGS

1. A district court may remand a Social Security case under sentence four of 42 U.S.C. § 405(g) by entering a judgment affirming, modifying, or reversing the Commissioner's decision, with or without remanding for a rehearing.
2. The case should be reversed and remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) so that the administrative law judge may further evaluate the evidence.

## KEY QUOTATIONS

*“The fourth sentence of the statute provides that “[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 of Social Security, with or without remanding the cause for a rehearing.”*”

## FACTUAL BACKGROUND

Ashby claimed a period of disability and disability insurance benefits under Title II of the Social Security Act. The Commissioner denied the claim. The court determined that remand was appropriate to permit the administrative law judge to further evaluate the evidence.

## PROCEDURAL HISTORY

Ashby filed an action seeking review of the Commissioner's decision denying her claim for a period of disability and disability insurance benefits. After filing the Social Security transcript, the Commissioner moved without opposition for reversal and remand under sentence four of 42 U.S.C. § 405(g). The district court granted the motion and remanded for further administrative action.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

Remand to the Commissioner for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g), including further evaluation of the evidence by the administrative law judge.

## CASES CITED

- *Shalala v. Schaefer*, 509 U.S. 292, 296 (1993)

## OPINION

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION ANGEL JOY ASHBY PLAINTIFF v. CIVIL NO. 26-05033  
FRANK BISIGNANO, Commissioner DEFENDANT Social Security Administration  
MEMORANDUM OPINION Plaintiff, Angel Joy Ashby, brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of the Social Security Administration (Commissioner) denying her claim for a period of disability and disability insurance benefits (“DIB”) under Title II of the Social Security Act (hereinafter “the Act”), 42 U.S.C. § 423(d)(1)(A).

(ECF No. 2). The Defendant filed the Social Security Transcript on April 6, 2026. (ECF No. 5). On June 5, 2026, the Defendant filed an Unopposed Motion for Reversal and Remand requesting that Plaintiff’s case be remanded pursuant to “sentence four” of section 405(g) in order to conduct further administrative proceedings. (ECF No. 8).

The exclusive methods by which a district court may remand a social security case to the Commissioner are set forth in “sentence four” and “sentence six” of 42 U.S.C. § 405(g). A remand pursuant to “sentence six” is limited to two situations: where the Commissioner requests a remand before answering the complaint, or where the court orders the Commissioner to consider new, material, evidence that was not presented before the agency for good cause.

The fourth sentence of the statute provides that “[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 of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g); *Shalala v. Schaefer*, 509 U.S. 292, 296 (1993).

Here, the Court finds remand for the purpose of allowing the ALJ to further evaluate the evidence appropriate. Based on the foregoing, the undersigned GRANTS the Commissioner’s Unopposed Motion for Reversal and Remand (ECF No. 8) and remands this case to the Commissioner for further administrative action pursuant to “sentence four” of section 405(g). DATED this 5th day of June 2026. ii Areal Comnttrcds— HON. CHRISTY COMSTOCK UNITED STATES MAGISTRATE JUDGE