

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MARJORIE L. HOOPER,

Plaintiff,

vs.

MARTIN O'MALLEY, Commissioner
of Social Security,

Defendant.

Case No. 3:23-cv-00259-JMK

ORDER REMANDING CASE

The parties, through their respective counsel, stipulate to the following matters. The Commissioner's final decision should be reversed and remanded for further administrative proceedings before an Administrative Law Judge (ALJ). On remand, the Social Security Appeals Council shall order the ALJ to: offer Plaintiff the opportunity for a new administrative hearing; further develop the record and reevaluate the evidence, as necessary; reevaluate the medical opinion evidence and prior administrative medical findings; and issue a new decision.

Remand should be made under sentence four of 42 U.S.C. § 405(g). *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff should be entitled to reasonable

attorney fees and expenses pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

IT IS SO ORDERED this 3rd day of June, 2024, at Anchorage, Alaska.

/s/ Joshua M. Kindred

JOSHUA M. KINDRED
UNITED STATES DISTRICT JUDGE