

1 BENJAMIN B. WAGNER
 United States Attorney
 2 LUCILLE GONZALES MEIS
 Regional Chief Counsel, Region IX
 3 Social Security Administration
 DANIEL P. TALBERT
 4 Special Assistant U.S. Attorney
 333 Market Street, Suite 1500
 5 San Francisco, CA 94105
 Telephone: (415) 977-8926
 6 Fax: (415) 744-0134

7 Attorneys for Defendant

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DARRIUS BURTON,)	Case No. 1:07-cv-01481-JLT
11 Plaintiff,)	FIFTEENTH JOINT STATUS REPORT ON
12 vs.)	REMAND PURSUANT TO 42 U.S.C.
13 MICHAEL J. ASTRUE,)	§ 405(g), SENTENCE SIX; STIPULATION
Commissioner of Social Security,)	AND PROPOSED ORDER FOR JUDGMENT
14 Defendant.)	FOR PLAINTIFF
15)	
16)	

17 **FOURTEENTH JOINT STATUS REPORT**

18 On February 20, 2008, by stipulation of the parties and order of the Court, this case was
19 remanded to the Defendant Commissioner of Social Security because the tape recording of the
20 administrative hearing was inaudible and an administrative record could not be prepared [Docket
21 No. 15]. The Commissioner was directed to conduct a new administrative hearing.

22 After Plaintiff's unavailability due to his being in custody, an administrative hearing was
23 held on March 16, 2009. Administrative Law Judge (ALJ) Christopher Larsen conducted a
24 supplemental hearing on October 23, 2009. The ALJ issued a decision on December 4, 2009,
25 finding that Plaintiff was not disabled as defined by the Social Security Act. Plaintiff then
26 requested review by the Appeals Council, and on March 19, 2010, the Appeals Council
27 remanded for a new hearing. Following the new hearing, the ALJ issued a decision dated
28 November 24, 2010, finding that Plaintiff was disabled in a decision. See Exhibit 1, November

1 24, 2010 Fully Favorable Decision.

2 The parties further stipulate that judgment shall be entered for the Plaintiff and against the
3 Commissioner.

4 Respectfully submitted,

5 DATE: 1/14/10

BENJAMIN B. WAGNER
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

8 /s/ Daniel P. Talbert
9 DANIEL P. TALBERT
Special Assistant U.S. Attorney

10 Attorneys for Defendant

11 DATE: 1/14/10

12 /s/ Brian C. Shapiro
13 (as authorized by email)
BRIAN C. SHAPIRO
Attorney for Plaintiff

14
15 ORDER

16 Pursuant to the parties' stipulation, judgment is entered for Plaintiff and against the
17 Commissioner. The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiff.

18
19 IT IS SO ORDERED.

20 Dated: January 18, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE