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 10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA
 12 FRESNO DIVISION
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14 JESUS AUGUSTINE BELTRAN,
 15 Plaintiff,
 16 v.
 17 CAROLYN W. COLVIN,
 18 Acting Commissioner of Social Security,
 19 Defendant.
 20

) CIVIL NO. 1:13-CV0-2040-SMS
)
) **STIPULATION AND ORDER FOR**
) **REMAND PURSUANT TO SENTENCE**
) **FOUR OF 42 U.S.C. § 405(g), AND**
) **REQUEST FOR ENTRY OF JUDGMENT**
) **IN FAVOR OF PLAINTIFF AND AGAINST**
) **DEFENDANT**
)
)
)

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 22 IT IS HEREBY STIPULATED, by and between the parties, Jesus Augustine Beltran (Plaintiff)
 23 and the Acting Commissioner of Social Security (Defendant), through their respective counsel of
 24 record, that that this action be remanded to Defendant for further administrative action pursuant to
 25 section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), sentence four.

26 Upon remand, the Appeals Council will instruct the Administrative Law Judge to: (1) obtain
 27 supplemental vocational expert evidence to identify jobs that are consistent with the Dictionary of
 28

1 Occupational Titles (DOT) or explain any deviation from the DOT; and (2) further address the issue of
2 Plaintiff's illiteracy with specific reference to evidence of record in support of the finding.

3 The parties further request that the Clerk of the Court be directed to enter a final judgment in
4 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner. Nothing in
5 this proposed order shall be taken to affect Plaintiff's right to request Equal Access to Justice Act
6 attorney's fees under 28 U.S.C. § 2412, or costs under 28 U.S.C. § 1920, or to prevent Defendant from
7 opposing any such requests.
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9 Respectfully submitted,

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11 Dated: August 1, 2014

/s/ Steven G. Rosales

STEVEN G. ROSALES

Attorney for Plaintiff

*By email authorization on August 1, 2014

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13
14 Dated: August 1, 2014

BENJAMIN B. WAGNER

United States Attorney

DONNA L. CALVERT

Acting Regional Chief Counsel

Social Security Administration

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18 By /s/ Jennifer Lee Tarn

JENNIFER LEE TARN

Special Assistant U.S. Attorney

Attorneys for Defendant

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22 **ORDER**

23 APPROVED AND SO ORDERED:

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25
26 DATED: 8/1/2014

/s/ SANDRA M. SNYDER

UNITED STATES MAGISTRATE JUDGE

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