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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

EEDOR SEE,)	Case No.: 1:17-cv-0711 - JLT
)	
Plaintiff,)	ORDER REMANDING THE ACTION PURSUANT
)	TO SENTENCE SIX OF 42 U.S.C. § 405(g)
v.)	
)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	
)	

On December 6, 2017, the parties filed a stipulation that this matter be remanded pursuant to sentence six of 42 U.S.C. § 405(g). (Doc. 12) In relevant part, 42 U.S.C. § 405(g) provides:

The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security, and it may at any time order additional evidence to be taken before the Commissioner of Social Security, but only upon a showing that there is new evidence which is material and that there is good cause for the failure to incorporate such evidence into the record in a prior proceeding . . .

Id. In this case, the parties report that “[m]eaningful review of this case is not possible because the Appeals Council has notified agency counsel that the claim file of the Administrative Law Judge’s (ALJ) decision dated September 4, 2015, cannot be located.” (Doc. 12 at 1) The parties have stipulated that, in the event the Appeals Council is unable to re-create the complete record, then “the Appeals Council will remand the case to an ALJ and direct the ALJ to reconstruct the record, and to offer Plaintiff a new hearing and issue a new decision.” (*Id.* a 1-2)

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Good cause appearing, and based upon the stipulation of the parties, the Court **ORDERS**:

1. The matter is **REMANDED** for further administrative action pursuant to the sixth sentence of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g);
2. Defendant's motion to remand (Doc. 11) is terminated as **MOOT**; and
2. The Clerk of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated: December 8, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE