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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

TONY YBARRA,
 	
     Plaintiff,
 	
vs.
 	
NANCY A. BERRYHILL,
Acting Commissioner of Social Security,
 	
     Defendant.
	Case No.: 1:18-cv-00064-JDP
	
	STIPULATION AND PROPOSED ORDER TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT

IT IS HEREBY STIPULATED, by and between the parties, through their respective

counsel of record, that this action be remanded to the Commissioner of Social Security for

further administrative action pursuant to section 205(g) of the Social Security Act, as amended,

42 U.S.C. § 405(g), sentence four.

On remand, the Appeals Council will evaluate whether Plaintiff's exceptions to the ALJ's

decision were submitted to the Appeals Council timely, and if timely, the Appeals Council will

evaluate the exceptions and additional evidence submitted.

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The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant.

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Dated: February 11, 2019   LAW OFFICES OF LAWRENCE D. ROHLFING

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5   By: */s/ Lawrence D. Rohlfing by C.Chen**
           LAWRENCE D. ROHLFING
6   (*as authorized via email on February 11, 2019)

7   Dated: February 11, 2019   MCGREGOR W. SCOTT
                                             United States Attorney
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9   By: */s/ Carolyn B. Chen*
           CAROLYN B. CHEN
10   Special Assistant United States Attorney
           Attorneys for Defendant

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13   ORDER

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16   IT IS SO ORDERED.

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18   Dated: February 12, 2019   _____
                                            UNITED STATES MAGISTRATE JUDGE

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