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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

12
13 CARL P. BRISK,) Case No.: 1:21-cv-00430-BAK (BAM)
14 Plaintiff,) STIPULATION TO REMAND AND
15 vs.) ORDER
16 KILOLO KIJAKAZI,)
17 Acting Commissioner of Social Security,)
18 Defendant.)

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20 IT IS STIPULATED by and between Carl. P. Brisk (Plaintiff) and Kilolo Kijakazi,
21 Acting Commissioner of Social Security (Defendant), through their undersigned counsel of
22 record, that the above-entitled action shall be remanded to the Commissioner of Social Security
23 for further administrative proceedings.

24 Upon remand, the Office of Hearing Operations will remand the case to an
25 Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to further evaluate
26 Plaintiff's residing in a structured setting. The parties further request that the Court direct the
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1 Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant,
2 reversing the final decision of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
4 Social Security Act, 42 U.S.C. 405(g).

5 Respectfully submitted this 6th day of May, 2022.

7 Dated: May 9, 2022

/s/ David J. Burdett for
JONATHAN O. PEÑA
Attorney for Plaintiff
*Authorized via e-mail on May 5, 2022

10 Dated: May 9, 2022

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By: */s/ David J. Burdett*
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Attorneys for Defendant

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ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: May 9, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE