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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

IT IS STIPULATED by and between Plaintiff Manuel Rios, Jr. (“Plaintiff”) and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to re-evaluate the evidence of record. The

1 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
2 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
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4 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
5 Social Security Act, 42 U.S.C. 405(g).
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Dated: November 8, 2023

PEÑA & BROMBERG, PLC

7 /s/ Dolly M. Trompeter*
8 DOLLY M. TROMPETER
9 Attorney for Plaintiff
*Authorized via e-mail on November 7, 2023

10 PHILLIP A. TALBERT
11 United States Attorney
12 MATHEW W. PILE
13 Associate General Counsel
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14 By: /s/ Angela Thornton-Millard
15 ANGELA THORNTON-MILLARD
16 Special Assistant U.S. Attorney
17 Attorneys for Defendant

18 **ORDER**

19 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
20 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 18), and for
21 cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the
22 Commissioner of Social Security for further proceedings pursuant to the fourth sentence of
23 Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).
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25 The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against
26 Defendant, vacating and reversing the final decision of the Commissioner and thereafter close this
27 case.
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IT IS SO ORDERED.

1 Dated: November 9, 2023

/s/ Sheila K. Oberto
2 UNITED STATES MAGISTRATE JUDGE

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