2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 MARIA LOURDES DELA TORRE, Case No.: 1:23-cv-1160 JLT BAM 12 Plaintiff, ORDER REMANDING THE MATTER PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TERMINATING PLANTIFF'S 13 v. MOTION FOR SUMMARY JUDGMENT AS **MOOT** MARTIN O'MALLEY¹, 14 Commissioner of Social Security, (Docs. 19, 23) 15 ORDER DIRECTING ENTRY OF JUDGMENT IN 16 Defendant. FAVOR OF PLAINTIFF MARIA LOURDES DELA TORRE AND AGAINST DEFENDANT 17 MARTIN O'MALLEY, COMMISSIONER OF SOCIAL SECURITY 18 Maria Lourdes Dela Torre and Martin O'Malley, Commissioner of Social Security, stipulated 19 to a voluntary remand of Plaintiff's application for benefits for further administrative proceedings 20 pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 23.) Pursuant to the stipulation of the parties, 21 "the Commissioner will offer Plaintiff the opportunity for a hearing; develop the record as necessary; 22 and issue a new decision." (Id.) The parties also stipulated that the final decision of the 23 24 Commissioner denying benefits is reversed, and judgment shall be entered in favor of Plaintiff and against the Defendant. (*Id.* at 2.) Based upon the terms of the stipulation, the Court **ORDERS**: 25 The matter is **REMANDED** for further administrative proceedings under sentence four 1. 26 27 28 ¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the

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Federal Rules of Civil Procedure, the Court substitutes Martin O'Malley for Kilolo Kijakazi as the defendant in this action.

1		of 42 U.S.C. § 405((g).	
2	2.	Plaintiff's motion for summary judgment (Doc. 19) is terminated as MOOT.		
3	3.	The Clerk of Court is directed to enter judgment in favor of Plaintiff Maria Lourdes		
4		Dela Torre and agai	inst Defendant Martin	n O'Malley, the Commissioner of Social
5		Security.		
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7	IT IS SO ORDERED.			
8	Dated:	May 8, 2024		UNITED STATES DISTRICT JUDGE
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