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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES J. HOLLISTER,  
Plaintiff,

No. CIV S-11-1832-CMK

vs.

ORDER

COMMISSIONER OF SOCIAL  
SECURITY,  
Defendant.

\_\_\_\_\_ /

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pending before the court is defendant’s motion to remand this action to the Commissioner of Social Security pursuant to sentence six of 42 U.S.C. § 405(g).

Defendant states that a significant portion of the recording from plaintiff’s administrative hearing is inaudible. With the recording being inaudible, no transcript can be produced for completing the record. Such procedural defect requires a remand for the defendant to hold a new administrative hearing. Defendant further states that once the new hearing has been held, and the record completed, this action may be reinstated.

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1                    Good cause appearing therefore, IT IS HEREBY ORDERED that this action be  
2 remanded to the Commissioner of the Social Security administration pursuant to sentence six of  
3 42 U.S.C. § 405(g), and the Clerk of the Court is directed to close this file.

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5 DATED: November 16, 2011

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7 **CRAIG M. KELLISON**  
8 UNITED STATES MAGISTRATE JUDGE  
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