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

MATTHEW KELLEE BORGES,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:17-CV-0625-DMC

ORDER

Plaintiff, who is proceeding with retained counsel, brings this re-opened action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pursuant to the written consent of all parties, this case is before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c).

The court entered a final judgment in favor of defendant on September 20, 2018, see ECF No. 26, and plaintiff appealed, see ECF No. 27. On appeal, the Ninth Circuit Court of Appeals granted the parties’ joint motion for a full remand, vacated this court’s judgment, and remanded with instructions directing this court to reverse the decision of the Commissioner of Social Security and further remand the matter back to the agency pursuant to the parties’ stipulation. See ECF No. 31. The appellate court’s mandate returning jurisdiction to this court issued on November 12, 2019. See ECF No. 32.

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Accordingly, this matter will be remanded under sentence four of 42 U.S.C. § 405(g) for further development of the record and/or further findings.

Accordingly, IT IS HEREBY ORDERED that:

1. The Commissioner’s final decision is reversed and this matter is remanded for further proceedings consistent with this order; and
2. The Clerk of the Court is directed to enter judgment and close this file.

Dated: January 8, 2020



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE