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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION

13 NICOLAS ANTONIO ALVARADO,)
14)
15 Plaintiff,)
16 v.)
17)
18 NANCY A. BERRYHILL,)
Acting Commissioner of)
19 Social Security,)
20 Defendant.)
21 _____)

Civil No. 2:17-cv-01519 CKD

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g) AND TO ENTRY OF
JUDGMENT; ORDER**

22 THE PARTIES HEREBY STIPULATE, through their undersigned attorneys and with the
23 approval of the Court, that Defendant has agreed to a voluntary remand of this case pursuant to sentence
24 four of 42 U.S.C. § 405(g).

25 Upon remand, the Appeals Council will remand this case to an administrative law judge (ALJ)
26 and direct him or her to hold a new hearing and issue a new decision. The ALJ will reevaluate whether,
27 considering Plaintiff's vocational profile and residual functional capacity, he can perform work existing
28 in significant numbers in the national economy. If necessary, the ALJ will consult a vocational expert
and solicit an explanation from the vocational expert for any apparent conflicts arising between the

1 vocational expert's testimony and the occupational information contained in the *Dictionary of*
2 *Occupational Titles*.

3 As noted, 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).

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6 Respectfully submitted,

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8 Date: February 6, 2018

Law Offices of Lawrence D. Rohlffing

9 /s/ Francesco Benavides for Denise Haley*

DENISE BOURGEOIS HALEY

10 (* by email authorization on February 5, 2018)

11 Attorney for Plaintiff

12 Date: February 6, 2018

MCGREGOR W. SCOTT

13 United States Attorney

DEBORAH LEE STACHEL

14 Regional Chief Counsel, Region IX

15 Social Security Administration

16 BY: /s/ Francesco P. Benavides

FRANCESCO P. BENAVIDES

17 Special Assistant United States Attorney

18 Attorneys for Defendant

19
20
21 ORDER

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23 APPROVED AND SO ORDERED.

24 Dated: February 9, 2018



25 CAROLYN K. DELANEY

26 UNITED STATES MAGISTRATE JUDGE

27
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