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 11 **UNITED STATES DISTRICT COURT**  
 12 **EASTERN DISTRICT OF CALIFORNIA**

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|----|---|--|
| 13 |   |  |
| 14 | JASON RALPH BELOTTI,                    | ) CIVIL NO. 2:23-cv-01301-KJN              |
| 15 | Plaintiff,                              | )  |
| 16 | v.                                      | ) <b>STIPULATION TO VOLUNTARY</b>          |
| 17 | KILOLO KIJAKAZI,                        | ) <b>REMAND PURSUANT TO SENTENCE</b>       |
| 18 | Acting Commissioner of Social Security, | ) <b>FOUR OF 42 U.S.C. § 405(g) AND TO</b> |
| 19 | Defendant.                              | ) <b>ENTRY OF JUDGMENT; ORDER</b>          |

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

24 Upon remand, the Appeals Council will remand the case to an Administrative Law  
 25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The  
 26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in  
 27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.  
 28

STIPULATION TO REMAND

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
2 Social Security Act, 42 U.S.C. 405(g).

3  
4 Dated: November 14, 2023

/s/ Francesco P. Benavides\*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

\*Authorized via e-mail on November 14, 2023

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

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By: /s/ Erin A. Jurrens

ERIN A. JURRENS

Special Assistant U.S. Attorney

Attorneys for Defendant

15 **ORDER**

16 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of  
17 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,  
18 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social  
19 Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social  
20 Security Act, 42 U.S.C. 405(g).

21 Dated: November 14, 2023



KENDALL J. NEWMAN

UNITED STATES MAGISTRATE JUDGE

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