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

14 JENNIFER LEE SWARS,)	CIVIL NO. 2:23-cv-01351-KJN
15 Plaintiff,)	STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT; ORDER
16 v.)	
17 KILOLO KIJAKAZI,)	
18 Acting Commissioner of Social Security,)	
19 Defendant.)	

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

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

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 9, 2023

/s/ Francesco Benavides*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on November 9, 2023

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

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10 By: /s/ James Ki

JAMES KI

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17 **ORDER**

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

23 Dated: November 13, 2023

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25 
26 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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