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

<p>13 JAMES ANTHONY REYES,</p> <p>14</p> <p>15 Plaintiff,</p> <p>16 v.</p> <p>17 MARTIN O’MALLEY,      Commissioner of Social Security</p> <p>18 Defendant.</p> <p>19</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No.: 2:24-cv-00426-CKD</p> <p>STIPULATION AND ORDER FOR      VOLUNTARY REMAND PURSUANT TO      SENTENCE FOUR OF 42 U.S.C. § 405(g)</p>
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21 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned  
 22 attorneys, and with the approval of the Court, that the Commissioner of Social Security has  
 23 agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The  
 24 purpose of the remand is to offer Plaintiff a new decision. The parties agree that no specific  
 25 aspect of the Commissioner’s final decision is affirmed.

26 On remand, the Commissioner will offer Plaintiff the opportunity for a hearing;  
 27 reconsider the pertinent issues, including, but not limited to, reconsidering the medical opinions  
 28 and prior administrative medical findings; develop the record as necessary; and issue a new

1 decision. The parties further request that the Clerk of the Court be directed to enter a final  
2 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the  
3 Commissioner.

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6 Respectfully submitted,

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8 DATE: July 1, 2024

/s/ Francesco P. Benavides \*  
FRANCESCO P. BENAVIDES,  
Attorney for Plaintiff  
(\* approved via email on 6/27/24)

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11 PHILLIP A. TALBERT  
12 United States Attorney

13 DATE: July 1, 2024

By s/ Marcelo Illarmo  
MARCELO ILLARMO  
Special Assistant United States Attorney

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15 Attorneys for Defendant

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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, IT  
20 IS HEREBY ORDERED, ADJUDGED AND DECREED that the above-captioned action is  
21 remanded to the Commissioner of Social Security for further proceedings consistent with the  
22 terms of the Stipulation to Remand.

23 July 3, 2024

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CAROLYN K. DELANEY  
27 UNITED STATES MAGISTRATE JUDGE  
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