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 11 **UNITED STATES DISTRICT COURT**  
 12 **EASTERN DISTRICT OF CALIFORNIA**  
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<p>14 VICKIE BENNETT,          15 Plaintiff,          16 v.          17 LELAND DUDEK,          Acting Commissioner of Social Security,<sup>1</sup>          18 Defendant.</p>	<p>) CIVIL NO. 2:24-cv-02385-JDP          )          ) <b>STIPULATION TO VOLUNTARY</b>          ) <b>REMAND PURSUANT TO SENTENCE</b>          ) <b>FOUR OF 42 U.S.C. § 405(g) AND TO</b>          ) <b>ENTRY OF JUDGMENT; <del>PROPOSED</del></b>          ) <b>ORDER</b></p>
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 21 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Carolyn  
 22 Colvin, Acting Commissioner of Social Security (“Commissioner”), through their undersigned  
 23 counsel of record, that the above-entitled action shall be remanded to the Commissioner for  
 24 further administrative proceedings.

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 26  
 27 <sup>1</sup> Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025.  
 Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be  
 28 substituted for Michelle King as the defendant in this suit. No further action need be taken to  
 continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42  
 U.S.C. § 405(g).

STIPULATION TO REMAND

1 On remand, the Commissioner will develop the record as necessary; reconsider all  
2 relevant issues; offer the claimant the opportunity for a hearing; and issue a new decision. The  
3 parties further request that the Court direct the Clerk of the Court to enter a final judgment in  
4 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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

7 Dated: March 6, 2025

/s/ Francesco P. Benavides\*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

\*Authorized via e-mail on March 5, 2025

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By: /s/ Noah Schabacker

NOAH SCHABACKER

Special Assistant United States Attorney

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**~~PROPOSED~~ ORDER**

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

24 IT IS SO ORDERED.

25  
26 Dated: March 6, 2025



JEREMY D. PETERSON

UNITED STATES MAGISTRATE JUDGE