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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

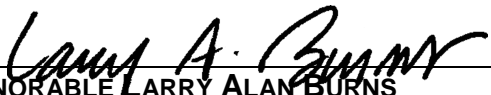
THO VAN HA,  
  
Plaintiff,  
  
vs.  
  
COMMISSIONER OF SOCIAL  
SECURITY,  
  
Defendants.

CASE NO. 13cv1211-LAB (BLM)  
**ORDER DENYING MOTION FOR FEES**

When “the district court remands under sentence six, the claimant cannot apply for fees until the completion of post-remand proceedings.” *Flores v. Shalala*, 49 F.3d 562, 568 (9th Cir. 1995); *Neuhauser v. Colvin*, 2015 WL 5081132, at \*3 (W.D. Wash. 2015) (“a claimant who obtains a sentence six remand does not become a prevailing party until the claimant is awarded benefits on remand”). The Ninth Circuit ordered the Court to remand the case “pursuant to sentence six of 42 U.S.C. § 405(g).”<sup>1</sup> Therefore, Tho Van Ha’s motion for fees is **DENIED**.

**IT IS SO ORDERED.**

Dated: July 19, 2017

  
HONORABLE LARRY ALAN BURNS  
United States District Judge

<sup>1</sup> Dkt. 49.