

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**CARLOS H. SOTO,**

**Plaintiff,**

v.

**Case No: 5:17-cv-241-Oc-PRL**

**COMMISSIONER OF SOCIAL  
SECURITY**

**Defendant.**

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**ORDER**

This matter is before the Court on the Commissioner's motion to remand. (Doc. 21). The Commissioner advises that she is unable to locate the claims file for the ALJ's decision of August 12, 2015. Therefore, the Commissioner requests a remand, pursuant to sentence six of 42 U.S.C. §405(g) in order to take further administrative action.

Pursuant to 42 U.S.C. §405(g) of the Social Security Act, this Court may remand a case to the Commissioner on motion of the Commissioner made for "good cause shown" before she files her answer. As the Commissioner has not yet filed an answer in the instant case, the sole issue for consideration is whether the Commissioner has shown good cause for the requested remand. The Court acknowledges that Plaintiff opposes the requested relief. However, the Court cannot perform its role on appeal without the benefit of the claims file. Under these circumstances, there is good cause to support a remand under sentence six.


In view of the foregoing, it is **ORDERED** that:

(1) Defendant's Motion For Remand (Doc. 21) is **GRANTED**;

(2) This action is **REMANDED** to the Commissioner, pursuant to sentence six of 42 U.S.C. § 405(g), for the Commissioner to take further administrative action, subject to the requirement that the Commissioner provide the Court with status reports every three months regarding the progress of the remand process;

(3) Because this cause is remanded pursuant to sentence six of 42 U.S.C. § 405(g), the Court shall retain jurisdiction in this matter. Accordingly, the Clerk shall administratively close the file and withhold the entry of a final judgment in this case.

**DONE and ORDERED** in Ocala, Florida on September 19, 2017.

  
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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties