

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SANDRA MAINER,

Plaintiff,

v.

Case No. 8:20-cv-2124-UAM

MARTIN O'MALLEY,
Commissioner of the Social
Security Administration,

Defendant.

ORDER

Before the Court is Plaintiff's Unopposed Motion for Entry of Judgment (Doc. 23). Pursuant to sentence four of 42 U.S.C. § 405(g), Plaintiff initiated this action seeking judicial review of an administrative decision denying her claim for Social Security disability benefits (*see* Doc. 1). After filing her Complaint, Plaintiff filed a Motion for Remand Under Sentence Six of 42 U.S.C. § 405(g) (Doc. 19), which the Commissioner opposed (Doc. 21). On November 8, 2021, the Court entered an order granting Plaintiff's motion and remanded the decision to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g) (Doc. 22). In its Order, the Court directed the Clerk to administratively close the case pending resolution of the proceedings on remand. The Court also retained jurisdiction over the matter for further proceedings. *See Jackson v. Chater*, 99 F.3d 1086, 1089 (11th Cir. 1996) ("With a 'sentence-six remand' the district court retains jurisdiction and enters judgment after the remand proceedings are completed."); *see also Shalala v. Schaefer*, 509 U.S. 292, 297 (1993) ("Immediate entry of judgment (as opposed to entry of judgment after postremand agency

proceedings have been completed and their results filed with the court) is in fact the principal feature that distinguishes a sentence-four remand from a sentence-six remand.”).

Now, Plaintiff represents that she has received a fully favorable decision by an Administrative Law Judge on remand (Doc. 23-1). The ALJ’s decision informed Plaintiff of her right to appeal and the time limit to file such an appeal (*Id.*). Plaintiff has not filed any appeal and the time to do so has passed. As such, the administrative proceedings are complete. Plaintiff has also attached her Notice of Award (Doc. 23-2) and represents that the Commissioner does not oppose her request (Doc. 23 at 2). Because the Court retains jurisdiction, it is **ORDERED**:

1. Plaintiff’s Unopposed Motion for Entry of Judgment (Doc. 23) is **GRANTED**.
2. The Clerk of Court is directed to reopen this case, enter judgment in favor of Plaintiff and against the Commissioner, and thereafter close the case.

ORDERED in Tampa, Florida on June 3, 2024.



SEAN P. FLYNN
UNITED STATES MAGISTRATE JUDGE