

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SHIRLEY R. COYLE,

Plaintiff,

v.

Case No. 8:22-cv-2940-CPT

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

_____ /

ORDER

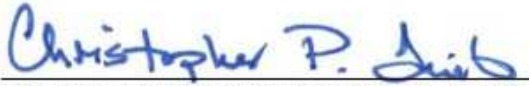
Before the Court is Defendant Commissioner's unopposed motion to remand this case pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 19). According to the Commissioner, such a remand is necessary so that the Social Security Administration (SSA) can "take any additional steps necessary to develop the administrative record, including offering [the] Plaintiff the opportunity for a new hearing; reassess [the] Plaintiff's residual functional capacity, and, if necessary, obtain vocational evidence regarding other work [the] Plaintiff can perform; and issue a new decision." *Id.* The Commissioner represents that the Plaintiff does not object to this request for a remand. *Id.*

Sentence four of section 405(g) provides that a “court shall have [the] power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner . . . with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). In a sentence four remand, the appropriate procedure is for a court to enter a final judgment in the claimant’s favor. *Shalala v. Schaefer*, 509 U.S. 292, 296–97 (1993); *Jackson v. Chater*, 99 F.3d 1086, 1095 (11th Cir. 1996).

In light of the above, it is hereby ORDERED:

1. The Commissioner’s unopposed motion to remand this case (Doc. 19) is granted.
2. The Commissioner’s decision is reversed, and the case is remanded for further proceedings before the SSA consistent with this Order.
3. The Clerk of Court is directed to enter Judgment in the Plaintiff’s favor and to close the case.

SO ORDERED in Tampa, Florida, this 19th day of May 2023.


HONORABLE CHRISTOPHER P. TUIE
United States Magistrate Judge

Copies to:
Counsel of record