

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ADA L. ANDRES COX,	:	Case No. 3:16-cv-501
	:	
Plaintiff,	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
NANCY A. BERRYHILL,	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This social security case is presently before the Court on the parties' Joint Motion to Remand. (Doc. #11). The parties agree that this matter should be remanded to the Commissioner pursuant to Sentence Four of Section 205 of the Social Security Act, 42 U.S.C. § 405(g).

Upon remand, the Appeals Council will attempt to locate the file(s) with respect to Plaintiff's prior favorable Title II and Title XVI disability determinations, which will include a search of the father of Plaintiff's social security number. If the file(s) cannot be located, the Appeals Council will document the efforts made to find the file(s), include a record of those efforts in the case file, and issue a decision. If the record does not provide sufficient support for issuing a decision, then the Appeals Council will remand the case to the Administrative Law Judge. If the Appeals Council remands the

case, it will instruct the Administrative Law Judge to further develop the record with regard to Plaintiff's prior favorable determinations; document the efforts made to obtain the prior files, and include this information in the record; give Plaintiff an opportunity for a hearing; and issue a new decision.

IT IS THEREFORE ORDERED THAT:

1. The parties' Joint Motion to Remand (Doc. #11) is **ACCEPTED**;
2. The Clerk of Court is directed to enter Judgment in Plaintiff's favor under Fed. R. Civ. P. 58;
3. This matter is **REMANDED** to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), for further consideration consistent with this Decision and Entry and the parties' stipulation; and
4. The case is terminated on the docket of this Court.

IT IS SO ORDERED.

Date: August 18, 2017

s/Thomas M. Rose
Thomas M. Rose
United States District Judge