

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 17, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

BEVERLY L. o/b/o JML, a minor
child.¹,

Plaintiff,

vs.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:20-CV-03104-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 17, 19

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 19, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney David Burdett

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. See LCivR 5.2(c).

1 represents Defendant. The parties have consented to proceed before a magistrate
2 judge. ECF No. 6.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**.

5 2. The above-captioned case be **REVERSED** and **REMANDED** to the
6 Commissioner of Social Security for further administrative proceeding pursuant to
7 sentence four of 42 U.S.C. § 405(g).

8 On remand, the parties stipulate that the Appeals Council will instruct the
9 ALJ to: "Conduct a de novo hearing to reevaluate the claimant's six domains of
10 functioning and residual functional capacity, if applicable, including consideration
11 of each medical opinion, providing reasons for any domain rated less limited or
12 limitation discounted." ECF No. 19 at 1.

13 3. Judgment shall be entered for **PLAINTIFF**.

14 4. Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is **STRICKEN**
15 **AS MOOT**.

16 5. Upon proper presentation, this Court consider Plaintiff's application for
17 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

18 The District Court Executive is directed to enter this Order, **enter**
19 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

20 DATED February 17, 2021.

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s/Mary K. Dimke
MARY K. DIMKE
UNITED STATES MAGISTRATE JUDGE