

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Amanda Lea Smith v. Frank Bisignano

Smith v. Bisignano · No. 5:25-cv-00688-ECC-MJK · Decided March 20, 2026

SUMMARY

The document is a consented-to motion by the Commissioner of the Social Security Administration seeking reversal of the Commissioner’s decision and remand under sentence four of 42 U.S.C. § 405(g). It requests further administrative proceedings, including a new hearing and decision by an Administrative Law Judge, and states that the plaintiff consents. The motion is dated March 19, 2026, and was filed in the Northern District of New York.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Hugh Dun Rappaport
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	March 20, 2026
DOCKET	5:25-cv-00688-ECC-MJK
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of a decision of the Commissioner of Social Security. The Commissioner filed a consented-to motion for reversal and remand under sentence four of 42 U.S.C. § 405(g), which the plaintiff consented to.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	Amanda Lea Smith v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

- judicial review of agency action
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- civil procedure
- judicial review of agency action
- remedies

QUESTIONS PRESENTED

1. Whether the court should reverse the Commissioner's decision and remand the matter for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).

HOLDINGS

1. The court granted the consented-to motion, reversed the Commissioner's decision, and remanded the matter for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

KEY QUOTATIONS

“a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” (at 1)

FACTUAL BACKGROUND

Plaintiff challenged a decision of the Commissioner of Social Security. The Commissioner concluded that the matter should be remanded and requested reversal of the administrative decision. The parties consented to remand for a new hearing and a new decision by an Administrative Law Judge.

PROCEDURAL HISTORY

The action was brought in the Northern District of New York to review a Social Security Administration decision. The Commissioner determined that remand was appropriate and moved for reversal and remand under sentence four of 42 U.S.C. § 405(g). The court granted the requested relief and ordered remand for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Appeals Council shall remand the matter to an Administrative Law Judge, who shall offer Plaintiff the opportunity for a new hearing and issue a new decision.

CASES CITED

- *Melkonyan v. Sullivan*, 501 U.S. 89 (1991)

OPINION

United States District Court Northern District of New York Amanda Lea Smith,) Case No. 5:25-cv-00688-ECC-MJK Plaintiff,)) v.)) Frank Bisignano,) Commissioner of the Social) Security Administration,) Defendant.) Motion – Document Filed Electronically CONSENTED-TO MOTION FOR REVERSAL AND REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C.

§ 405(g) The Defendant, Frank Bisignano, Commissioner of the Social Security Administration (“Commissioner”), has determined that remand of the above-captioned matter is appropriate.

Accordingly, the Commissioner respectfully moves this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing his decision with remand of the cause for further administrative proceedings. See *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

Under sentence four of 42 U.S.C. § 405(g), this Court has the power to enter, upon the pleadings and transcript of the record, “a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” *Id.* at 98. Upon remand by this Court, the Appeals Council will remand this matter to an Administrative Law Judge (“ALJ”).

Upon remand, the ALJ shall be instructed to offer Plaintiff the opportunity for a new hearing, and issue a new decision. For these reasons, the Commissioner respectfully requests that this Court enter an Order and Final Judgment reversing the Commissioner’s decision and remanding the case for further administrative proceedings. Plaintiff’s counsel has authorized the undersigned to represent that Plaintiff consents to this motion.

DATED: March 19, 2026 Respectfully submitted, Frank Bisignano, By His Attorneys Todd Blanche Deputy Attorney General John A. Sarcone III First Assistant United States Attorney SO ORDERED: /s/ Hugh Dun Rappaport Hugh Dun Rappaport a Special Assistant United States Attorney At A N.D.N.Y. Bar Roll No. 700992 C. Coombe Program Litigation 2 District Judge Social Security Administration _ March 20, 2026 Law & Policy aise NY Attn: Program Litigation 2 6401 Security Boulevard.

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