

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Earnest T. v. Commissioner of Social Security

Civil No. 3:25-cv-01861-GCS (S.D. Ill. Apr. 27, 2026) · No. 3:25-cv-01861-GCS · Decided April 27, 2026

SUMMARY

The court grants the parties’ agreed motion to remand a Social Security case for further proceedings under sentence four of 42 U.S.C. § 405(g). The court reverses the Commissioner’s final decision, remands for rehearing and reconsideration of the evidence, and directs the Clerk to enter judgment for the plaintiff.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Gilbert C. Sison
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	April 27, 2026
DOCKET	3:25-cv-01861-GCS
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The parties jointly moved to remand the Social Security case to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g).
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; limited precedential value.
PARTIES	Earnest T. v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- Social Security
- administrative law
- civil procedure

QUESTIONS PRESENTED

1. Whether the parties' agreed motion should be granted and the Commissioner's final decision remanded under sentence four of 42 U.S.C. § 405(g).
2. Whether judgment should be entered in favor of plaintiff upon a sentence four remand.

HOLDINGS

1. The court granted the agreed motion and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for rehearing and reconsideration of the evidence.
2. Upon the sentence four remand, judgment was entered in favor of plaintiff.

KEY QUOTATIONS

“The final decision of the Commissioner of Social Security is REVERSED and REMANDED to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).” (2)

FACTUAL BACKGROUND

The opinion concerns judicial review of a final decision by the Commissioner of Social Security. The parties agreed that the administrative proceedings required further consideration of the opinion evidence under the governing regulations, a hearing opportunity, and a new decision by the administrative law judge.

PROCEDURAL HISTORY

Plaintiff sought judicial review of the Commissioner's final decision. The parties agreed that remand was appropriate for further consideration of the opinion evidence, an opportunity for a hearing, and issuance of a new decision. The court granted the agreed motion, reversed the Commissioner's decision, remanded under sentence four, and directed entry of judgment for plaintiff.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must conduct further proceedings, including further consideration of the opinion evidence in accordance with the regulations, offering plaintiff an opportunity for a hearing, and issuing a new decision.

CASES CITED

- Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991)
- Perlman v. Swiss Bank Corp. Comprehensive Disability Protection Plan, 195 F.3d 975, 978 (7th Cir. 1999)
- Shalala v. Schaefer, 509 U.S. 292, 302-303 (1993)

OPINION

Trussell

PER CURIAM.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EARNEST T.,¹)

) Plaintiff,)) vs.) CIVIL NO. 3:25-cv-01861-GCS2)

COMMISSIONER of SOCIAL SECURITY,)

) Defendant.)

MEMORANDUM & ORDER

SISON, Magistrate Judge: Before the Court is the parties' Agreed Motion to Remand to the Commissioner. (Doc. 22). The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See *Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991); *Perlman v. Swiss Bank Corp. Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. See *Shalala v. Schaefer*, 509 U.S. 292, 302- 303 (1993). The parties agree that, upon remand, the ALJ will "further consider the opinion evidence in accordance with the regulations; (2) offer the claimant an opportunity for a hearing; and (3) issue a new decision."

¹ Plaintiff's full name will not be used in this Order due to privacy concerns. See FED. R. CIV. PROC. 5.2(c) and the Advisory Committee Notes thereto. ² This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. § 636(c). See (Doc. 10). For good cause shown, the parties' Agreed Motion to Remand to the Commissioner (Doc. 22) is GRANTED. The final decision of the Commissioner of Social Security is REVERSED and REMANDED to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g). The Clerk of Court is directed to enter judgment in favor of Plaintiff. IT IS SO ORDERED. DATED: April 27, 2026. Digitally signed by i _ Judge Sison AThint 0. Dd ate: 2026.04.27 12:22:11 -05'00'

GILBERT C. SISON

United States Magistrate Judge Page 2 of 2