

**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.

OPINION

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 AT hint 0.

