

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Powers v. Commissioner of Social Security

Powers · No. 1:25-cv-00498-HBK · Decided July 31, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 KATRINA REBECCA POWERS, Case No. 1:25-cv-00498-HBK 12
Plaintiff, ORDER GRANTING PARTIES’ STIPULATED MOTION TO REMAND 13 v. UNDER
SENTENCE FOUR OF 42 U.S.C. § 405(g), REVERSING FINAL DECISION AND 14
COMMISSIONER OF SOCIAL REMANDING CASE1 SECURITY, 15 (Doc. No. 14)
Defendant.

16 17 18 Pending before the Court is the parties’ joint motion to remand filed July 30, 2025. (Doc.
19 No. 14). Plaintiff Katrina Rebecca Powers and the Commissioner of Social Security agree that
20 this case should be remanded for further administrative proceedings under sentence four of 42
21 U.S.C. § 405(g). (Id.). 22 The United States Supreme Court held that the Social Security Act
permits remand in 23 conjunction with a judgment either affirming, reversing, or modifying the
Secretary’s decision.

24 See *Melkonyan v. Sullivan*, 501 U.S. 89, 97-98 (1991) (addressing issue of attorney’s fees
under 25 the Equal Access to Justice Act and calculating deadline using date of final judgment).
The 26 1 Both parties have consented to the jurisdiction of a magistrate judge in accordance with
28 U.S.C. 27 §636(c)(1). (Doc. No. 9). 28 1 | *Melkonyan* court recognized 42 U.S.C. § 405(g)
contemplates only two types of remand — 2 || sentence four or sentence six.

Jd. at 98. A sentence four remand authorizes a court to enter “a 3 | judgment affirming, modifying,
or reversing the decision of the Secretary, with or without 4 || resetting the cause for a rehearing.”
Jd. (other citations omitted). 5 The Court grants the parties’ motion to remand under sentence four
and reverses the 6 | Commissioner’s final decision.

As agreed upon by the parties, upon remand, the Commissioner 7 | will further develop the record
as necessary, offer the claimant an opportunity for a new hearing, 8 || and issue a new decision. 9
Accordingly, it is ORDERED: 10 1. Pursuant to sentence four of 42 U.S.C. § 405(g), the Court
grants the joint motion to 11 remand (Doc. No. 14) and REVERSES the Commissioner’s decision.

This case is 12 REMANDED to the Commissioner of Social Security for further proceedings 13
consistent with this Order. 14 2. A motion for attorney fees may be filed within thirty (30) days. 15
3. The Clerk shall enter judgment in favor of Plaintiff, terminate any deadlines, and close 16 this

case. 17 Dated: _ July 31, 2025 Mile. Wh. foareh Zaskth 19 HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE 21 22 23 24 25 26 27 28

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