

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

Antonia Estorga Coleman v. Commissioner of Social Security

No. 1:25-cv-00031-HBK, United States District Court for the Eastern District of California (April 22, 2025)

OPINION

(SS) Estorga Coleman v. Commissioner of Social Security

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ANTONIA ESTORGA COLEMAN, Case No. 1:25-cv-00031-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. 11) Defendant. 16 17 18 19 Pending before the Court is the parties’ joint motion to
remand filed April 22, 2025. 20 (Doc. No. 11). Plaintiff Antonia Estorga Coleman and the
Commissioner of Social Security agree 21 that this case should be remanded for further
administrative proceedings under sentence four of 22 42 U.S.C. § 405(g). (Id.). 23 The United
States Supreme Court held that the Social Security Act permits remand in 24 conjunction with a
judgment either affirming, reversing, or modifying the Secretary’s decision. 25 See *Melkonyan v.*
Sullivan, 501 U.S. 89, 97-98 (1991) (addressing issue of attorney’s fees under 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 | the Equal Access to Justice Act and calculating deadline using date of
final judgment). The 2 | *Melkonyan* court recognized 42 U.S.C. § 405(g) contemplates only two
types of remand — 3 || sentence four or sentence six. /d. at 98. A sentence four remand authorizes
a court to enter “a 4 | judgment affirming, modifying, or reversing the decision of the Secretary,
with or without 5 || resetting the cause for a rehearing.” *Jd.* (other citations omitted). 6 The Court
grants the parties’ motion to remand under sentence four and reverses the 7 | Commissioner’s final
decision. As agreed upon by the parties, upon remand, the Commissioner 8 | will reevaluate
Plaintiffs subjective complaints; reevaluate Plaintiffs residual functional 9 | capacity; as needed,
continue the sequential evaluation process and obtain vocational expert 10 | testimony, if
warranted; take action to further develop the record, as necessary; offer Plaintiff the 11 |

opportunity for a hearing; and issue a new decision. 12 Accordingly, it is ORDERED: 13 1.
Pursuant to sentence four of 42 U.S.C. § 405(g), the Court grants the joint motion to 14 remand
(Doc. No. 11) and REVERSES the Commissioner's decision. This case is 15 REMANDED to the
Commissioner of Social Security for further proceedings 16 consistent with this Order. 17 2. A
motion for attorney fees may be filed within thirty (30) days. 18 3. The Clerk shall enter judgment
in favor of Plaintiff, terminate any deadlines, and close 19 this case. 20 | Dated: __April 22, 2025
Mile. Wh. foareh fackte

22 HELENA M. BARCH-KUCHTA

33 UNITED STATES MAGISTRATE JUDGE

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