

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH
DAKOTA

Steven L. v. Frank Bisignano, Commissioner of Social Security

Steven L. · No. 1:26-cv-00013 · Decided May 6, 2026

SUMMARY

The United States District Court for the District of North Dakota granted the Commissioner's unopposed motion to reverse and remand the denial of the plaintiff's application for Social Security disability insurance benefits. The court remanded the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the District of North Dakota
WRITING FOR THE COURT	Clare R. Hochhalter
JURISDICTION	United States District Court for the District of North Dakota
DECIDED	May 6, 2026
DOCKET	1:26-cv-00013
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Commissioner's final decision denying his application for disability insurance benefits. The Commissioner filed an unopposed motion to reverse and remand under sentence four of 42 U.S.C. § 405(g).
PRECEDENTIAL VALUE	Unknown
PARTIES	Steven L. v. Frank Bisignano, Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- Social Security
- administrative law
- civil procedure
- disability benefits

QUESTIONS PRESENTED

1. Whether the court should grant the Commissioner's unopposed motion to reverse and remand the ALJ's decision for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).
2. What types of remand are authorized by 42 U.S.C. § 405(g).

HOLDINGS

1. The court granted the unopposed motion, reversed the ALJ's decision, and remanded the matter for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).
2. Section 405(g) permits two types of remand orders: a sentence-four remand and a sentence-six remand.

KEY QUOTATIONS

“In Melkonyan, 501 U.S. at 97-103, the Supreme Court stated that § 405(g) permits only two types of remand orders.” (at 1)

“The court reverses and remands the ALJ’s decision for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g).” (at 2)

FACTUAL BACKGROUND

Plaintiff applied for disability insurance benefits under Title II of the Social Security Act. The Commissioner denied the application through a final decision by an administrative law judge. In the ensuing judicial-review action, the Commissioner agreed that the matter should be reversed and remanded for further administrative proceedings.

PROCEDURAL HISTORY

Plaintiff filed an action seeking review of the Commissioner's final decision denying Title II disability insurance benefits. The Commissioner moved without opposition for reversal and remand so that further administrative proceedings could occur. The district court granted the motion, reversed the ALJ's decision, and remanded under sentence four of § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

CASES CITED

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

OPINION

Larson

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Steven L.,) Plaintiff, ORDER) vs.)) Frank Bisignano, Commissioner of) Case No. 1:26-cv-00013 Social Security,) Defendant. Before the court is an “Unopposed Motion to Reverse and Remand” filed by Defendant on May 5, 2026. (Doc. No. 12). Plaintiff filed this action seeking judicial review of the Commissioner’s final decision denying his application for disability insurance benefits under Title II of the Social Security Act. Defendant requests the Court remand this matter to allow the Commissioner to conduct further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Section 405(g) permits the remand of a case to the Commissioner for further administrative action. In *Melkonyan*, 501 U.S. at 97-103, the Supreme Court stated that § 405(g) permits only two types of remand orders. The fourth sentence of § 405(g) authorizes a district court to enter “a judgment affirming, modifying, or reversing the decision of the [Commissioner], with or without remanding the case for rehearing.” *Melkonyan*, 501 U.S. at 97-101 (citing 42 U.S.C. § 405(g)). The fourth sentence of § 405(g) further states that the remand order may be entered upon the pleadings and transcript of the record. 42 U.S.C. § 405(g). A sentence six remand is granted before the Commissioner files an answer or is granted in light of additional evidence upon a showing that there is good cause for failing to incorporate the additional evidence into a prior proceeding. *Melkonyan*, 501 U.S. at 100-01. The court GRANTS Defendant’s unopposed motion (Doc. No. 12). The court reverses and remands the ALJ’s decision for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). IT IS SO ORDERED. Dated this 6th day of May, 2026. /s/ Clare R. Hochhalter Clare R. Hochhalter, Magistrate Judge United States District Court 2