

**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

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