

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Beth K. v. Commissioner of Social Security

Beth K. · No. 3:25-cv-02127-GCS · Decided February 3, 2026

SUMMARY

The United States District Court for the Southern District of Illinois granted the parties’ agreed motion to remand a Social Security disability case under sentence four of 42 U.S.C. § 405(g). The court reversed the Commissioner’s decision, remanded for rehearing and reconsideration, and directed the Clerk to enter judgment for the plaintiff.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Gilbert C. Sison
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	February 3, 2026
DOCKET	3:25-cv-02127-GCS
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The parties filed an agreed motion to remand the Social Security action to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g).
STANDARD OF REVIEW	A sentence four remand under 42 U.S.C. § 405(g) requires a finding of legal error in the Commissioner's decision.
PRECEDENTIAL VALUE	unknown
PARTIES	Beth K. v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- Social Security
- administrative law
- judicial review

QUESTIONS PRESENTED

1. Whether the parties' agreed motion should be granted and the case remanded under sentence four of 42 U.S.C. § 405(g).
2. Whether judgment should be entered in favor of Plaintiff following a sentence four remand.

HOLDINGS

1. The court granted the agreed motion and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for rehearing and reconsideration of the evidence.
2. Upon the sentence four remand, judgment must be entered in favor of Plaintiff.

KEY QUOTATIONS

“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).” (Mem. & Order at 2)

FACTUAL BACKGROUND

The opinion concerns Plaintiff's challenge to a final decision of the Commissioner of Social Security. The parties agreed that remand was appropriate and requested further proceedings before the Commissioner. On remand, the administrative law judge is to proceed through the sequential disability evaluation process as appropriate and issue a new decision.

PROCEDURAL HISTORY

Plaintiff sought judicial review of the Commissioner's final decision. The parties jointly requested a sentence four remand, and the court granted the motion, reversed the Commissioner's decision, remanded for rehearing and reconsideration, and directed entry of judgment for Plaintiff.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must conduct a rehearing and reconsider the evidence. The ALJ must proceed through the sequential disability evaluation process as appropriate and issue a new decision.

CASES CITED

- *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)
- *Shalala v. Schaefer*, 509 U.S. 292, 302-03 (1993)

OPINION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS BETH K.,1)) Plaintiff,)) vs.) CIVIL NO. 3:25-cv-02127-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. 14).

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 "proceed through the sequential disability evaluation process as appropriate and 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. 14) 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: February 3, 2026. Digitally signed by -. Judge Sison kant 6.

Do ate: 2026.02.03 13:43:52 -06'00' GILBERT C. SISON United States Magistrate Judge Page 2 of 2