

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

D.M.C.,¹

Plaintiff,

v.

Case No. 21-1276-DDC

**KILOLO KIJAKAZI, Acting Commissioner
of the Social Security Administration,**

Defendant.

MEMORANDUM AND ORDER

Defendant’s Unopposed Motion to Reverse and Remand and for Entry of Final Judgment (Doc. 11) asks the court “to issue an order remanding this case for additional administrative proceedings.” Doc. 11 at 1. Defendant “further asks the Court to specify . . . that the case is being remanded pursuant to sentence four of 42 U.S.C. § 405(g), and to direct the clerk to enter a judgment in accordance with Fed. R. Civ. P. 58, consistent with” *Shalala v. Schaefer*, 509 U.S. 292 (1993). *Id.* at 1–2 (citing *Shalala*, 509 U.S. at 296–302 (holding that a sentence four remand order is a final judgment)).

The court has considered defendant’s unopposed motion. For good cause, the court reverses the Commissioner’s decision in this matter under sentence four of 42 U.S.C. § 405(g), and remands the cause to the Commissioner for further administrative proceedings. Consistent with the Supreme Court’s holding in *Shalala*, the Clerk of the Court is directed to enter a separate judgment under Fed. R. Civ. P. 58. *Shalala*, 509 U.S. at 296–302.

¹ The court makes its Memoranda and Orders available online. So, as part of the court’s efforts to preserve the privacy interests of Social Security claimants, the court captions these opinions using only plaintiff’s initials.

IT IS THEREFORE ORDERED BY THE COURT that the Commissioner's decision is REVERSED under sentence four of 42 U.S.C. § 405(g) and REMANDED to the Commissioner for further administrative proceedings, including holding a new hearing and issuing a new decision.

IT IS FURTHER ORDERED BY THE COURT that the Clerk of the Court will enter a separate judgment under Fed. R. Civ. P. 58.

IT IS SO ORDERED.

Dated this 11th day of April, 2022, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge