

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

D.D.R.,¹

Plaintiff,

v.

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

Defendant.

Case No. 22-1074-DDC

MEMORANDUM AND ORDER

Defendant’s Unopposed Motion to Remand (Doc. 13) asks the court “for an order remanding this case to the Commissioner for further administrative proceedings.” Doc. 13 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 case to the Commissioner for further administrative proceedings. Consistent with the Supreme Court’s holding in *Shalala*, the court directs the Clerk of the Court to enter a separate judgment under Fed. R. Civ. P. 58. *Shalala*, 509 U.S. at 296–302.

¹ The court uses plaintiff’s initials here as part of its efforts to preserve the privacy interests of Social Security plaintiffs.

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

IT IS SO ORDERED.

Dated this 25th day of July, 2022, at Kansas City, Kansas.

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