

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

DENISE ANN ROUSSIN,

Plaintiff,

v.

Case No.: 2:23-cv-1089-KCD

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

Before the Court is the Commissioner's Unopposed Motion for Entry of Judgment With Remand. (Doc. 18.) The Commissioner believes that remand is appropriate to instruct the Administrative Law Judge to: (1) further evaluate the prior administrative findings; (2) offer Plaintiff the opportunity for a hearing; (3) take any further action needed to complete the administrative record; and (4) issue a new decision. (*Id.* at 1.) Plaintiff consents to the relief requested.

Under 42 U.S.C. § 405(g), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. *See Shalala v. Schaefer*, 509 U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). The Commissioner's request for remand is appropriate, and given Plaintiff's consent, it will be granted.

Accordingly, it is now **ORDERED**:

1. The Commissioner's Unopposed Motion for Entry of Judgment With Remand (Doc. 18) is **GRANTED**.

2. The Commissioner's decision denying benefits is **REVERSED** and this case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings.

3. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny all pending motions as moot, and close the file.

**ORDERED** in Fort Myers, Florida on April 2, 2024.



Kyle C. Dudek  
United States Magistrate Judge

Copies: All Parties of Record