

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

DERRICK ROBERT KRAMER,

Plaintiff,

v.

Case No. 3:24-cv-00421-MCR

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

**THIS CAUSE** is before the parties' Joint Motion for Remand. (Doc. 20.) Therein, the parties move this Court to remand the case pursuant to sentence four of 42 U.S.C. § 405(g). (*Id.* at 1.)

Upon consideration, it is **ORDERED**:

1. The Motion (**Doc. 20**) is **GRANTED**.
2. The decision of the Commissioner is **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings as follows:

On remand, the Commissioner will: (1) obtain supplemental vocational evidence; (2) take any action necessary to complete the administrative record; and (3) issue a new decision.

3. The Clerk of Court is **DIRECTED** to enter judgment consistent with this Order and with the decision in *Shalala v. Schaefer*, 509 U.S. 292,

296-302 (1993), and pursuant to Rule 58 of the Federal Rules of Civil Procedure. The judgment should state that if Plaintiff were to ultimately prevail in this case upon remand to the Social Security Administration, any motion for attorney's fees under 42 U.S.C. § 406(b) and/or 42 U.S.C. § 1383(d)(2) must be filed within fourteen (14) days from Plaintiff's counsel's receipt of any "close-out" letter. The motion must include the agency letter stating the amount of past-due benefits withheld, include any applicable contingency fee agreement, and establish the fee is reasonable for the services rendered. This Order does not extend the time limits for filing a motion for attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412.

4. The Clerk of Court is further **DIRECTED** to close the file.

**DONE AND ORDERED** at Jacksonville, Florida, on September 23, 2024.

  
MONTE C. RICHARDSON  
UNITED STATES MAGISTRATE JUDGE

Copies to:

Counsel of Record