

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

HEATHER MOBLEY  
AIZENSHTAT,

Plaintiff,

v.

Case No.: 2:24-cv-691-KCD

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

---

**ORDER**

Before the Court is the Defendant's Unopposed Motion for Remand. (Doc. 16.) The Commissioner believes that remand is appropriate for the ALJ to reevaluate the evidence in accordance with the agency's regulations and policies; take any further action needed to complete the administrative record, including offering Plaintiff the opportunity for a new hearing; and issue a new decision. (*Id.* at 1.)

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. Defendant's Unopposed Motion for Remand (Doc. 16) 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.

**ENTERED** in Fort Myers, Florida on November 13, 2024.



Kyle C. Dudek  
United States Magistrate Judge

Copies: All Parties of Record