

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

June 15, 2006

Elisabeth A. Shumaker
Clerk of Court

JEANETTE WOOD,

Plaintiff-Appellant,

v.

JO ANNE B. BARNHART,
Commissioner of Social Security
Administration,

Defendant-Appellee.

No. 05-5083
(D.C. No. 01-CV-358-SAJ)
(N.D. Okla.)

ORDER AND JUDGMENT*

Before **LUCERO, EBEL, and MURPHY**, Circuit Judges.

Jeanette Wood appeals the district court's denial of an award of attorney fees under 42 U.S.C. § 406(b)(1). In *McGraw v. Barnhart*, __ F.3d __, No. 05-5079 (10th Cir. June 13, 2006), this court held that § 406(b)(1) allows an award of fees when the district court has remanded a Title II Social Security case

* After examining the briefs and appellate record, this panel has determined unanimously to grant the parties' request for a decision on the briefs without oral argument. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

for further proceedings. Thus, the judgment of the district court is REVERSED and REMANDED for further proceedings in light of *McGraw*. Appellant's motion to file an addendum of recent citations is GRANTED and the Clerk is directed to accept the addendum for filing as of the date of original receipt.

Entered for the Court

David M. Ebel
Circuit Judge