

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

JONATHAN EVANS,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	Civil Action 11-00556-WS-B
	*	
MICHAEL J. ASTRUE,	*	
Commissioner of Social Security,	*	
	*	
Defendant.	*	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made pursuant to 28 U.S.C. § 636(b)(1)(B) and dated March 26, 2012 is hereby **ADOPTED** as the opinion of this Court.

Accordingly, for good cause shown, it is **ORDERED** that Defendant's unopposed Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. 23) be and hereby is **GRANTED**, and that this action is **REMANDED** to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) so that the Appeals Council can remand the case to an Administrative Law Judge to "further consider the opinions of examining source [] Nina E. Tocci, Ph.D.[,] and non-examining source Guendalina Ravello, Ph.D., and explain the weight given to such opinions; further evaluate Plaintiff's mental

impairments ...; further consider Plaintiff's residual functional capacity; and, if warranted, obtain supplemental evidence from a vocational expert" (Doc. 23 at 1-2).

This remand, pursuant to sentence four of Section 405(g), makes Plaintiff a prevailing party for purposes of the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Shalala v. Schaefer, 509 U.S. 292 (1993).

DONE this 19th day of April, 2012.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE