

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

SHARON R. DAVIS

PLAINTIFF

v.

NO. 4:16-cv-00073 SWW

NANCY A. BERRYHILL, Acting Commissioner
of the Social Security Administration

DEFENDANT

ORDER

The Court has received findings and a recommendation from Magistrate Judge Patricia S. Harris. No objections have been filed. After a careful, de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Substantial evidence on the record as a whole does not support the decision of the Administrative Law Judge ("ALJ"), and the decision is reversed and remanded. Upon remand, the ALJ shall re-contact the treating physicians and/or order a consultative examination as necessary to develop the record. The ALJ shall also re-evaluate the treating and examining physician opinions with a full explanation of the weight given to

the opinions.¹ The remand in this case is a “sentence four” remand as that phrase is defined in 42 U.S.C. 405(g) and Melkonyan v. Sullivan, 501 U.S. 89 (1991). Judgment will be entered for plaintiff Sharon R. Davis.

IT IS SO ORDERED this 14th day of March, 2017.

/s/ Susan Webber Wright

UNITED STATES DISTRICT JUDGE

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Plaintiff alleges that no consideration was given to the impact her obesity has on her other impairments. Upon remand, the ALJ should more fully consider plaintiff's obesity.