

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

BARRY E. SWYGERT

PLAINTIFF

v.

CASE NO. 5:08cv00306 BSM

**MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration**

DEFENDANT

ORDER

The court has reviewed the proposed findings and recommended disposition received from Magistrate Judge Jerry Cavaneau. There have been no objections. The findings and recommendations are adopted in their entirety.

THEREFORE, the clerk is directed to terminate plaintiff's motion for summary judgment [Doc. No. 26]. The ruling of the Commissioner is hereby reversed and the matter remanded for a reevaluation of plaintiff's complaints in accordance with the court's opinion. This is a "sentence four" remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

IT IS SO ORDERED this 29th day of March, 2010.


UNITED STATES DISTRICT JUDGE