

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

VANESSA R. WOODS

PLAINTIFF

v.

Civil No. 2:11-cv-02071

MICHAEL J. ASTRUE  
Commissioner, Social Security Administration

DEFENDANT

**J U D G M E N T**

Currently before the Court is the Report and Recommendation (Doc. 14) filed August 30, 2011 by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. More than fourteen (14) days have passed without objections being filed by the parties.

The Court has reviewed this case, and being well and sufficiently advised, finds that the Report and Recommendation is proper and should be, and hereby is, **ADOPTED IN ITS ENTIRETY**. Accordingly, for the reasons stated in the Magistrate Judge's Report and Recommendation, Defendant's Motion to Remand (Doc. 12) is **GRANTED** and this case is **REMANDED** to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g) (2010).

If Plaintiff wishes to request an award of attorney's fees and costs under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, an application may be filed up to thirty (30) days after the judgment becomes "not appealable" i.e., thirty (30) days after the sixty (60) day time for appeal has ended. *See Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B),(d)(2)(G).

IT IS SO ORDERED this 20th day of October, 2011.

*P. K. Holmes, III*

P.K. HOLMES, III  
UNITED STATES DISTRICT JUDGE