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

EVA COWAN

PLAINTIFF

DEFENDANT

v.

Case No. 2:11-CV-02181

MICHAEL J. ASTRUE, Commissioner Social Security Administration

J U D G M E N T

Currently before the Court is the Report and Recommendation (Doc. 11) dated June 18, 2012, by the Honorable James R. Marschewski, Chief United States Magistrate Judge for the Western District of Arkansas. The objection period has passed without objections being filed by either party. The Court has reviewed this case, and being well and sufficiently advised, finds that the Report and Recommendation is proper and should be adopted in its entirety. Accordingly, the Court hereby adopts the Report and Recommendation; reverses the decision of the Administrative Law Judge; and remands this case to the Commissioner for further development of the record.

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

IT IS SO ORDERED this 16th day of July, 2012.

s/P. K. Holmes, III

P.K. HOLMES, III CHIEF U.S. DISTRICT JUDGE