Goodman-Wagner v. Social Security Administration Commissioner Doc. 15

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

AMANDA GOODMAN-WAGNER PLAINTIFF

v. Case No. 2:12-CV-02050

MICHAEL J. ASTRUE, Commissioner of
Social Security Administration DEFENDANT

JUDGMENT

Currently before the Court is the Report and Recommendation (Doc. 14) filed in this case on October 31, 2012, by the Honorable James R. Marschewski, Chief United States Magistrate for the Western District of Arkansas. Neither party has filed objections to the Report and Recommendation, and the time period for filing objections has passed.

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, the decision of the Administrative Law Judge is reversed, and this case is remanded to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).

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 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 5th day of December, 2012.

/s/ P. K. Holmes, III

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

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