

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

CHARLES R. SMITH

PLAINTIFF

VS.

Civil No. 2:14-cv-02187-MEF

CAROLYN W. COLVIN,  
Commissioner of Social Security Administration

DEFENDANT

**JUDGMENT**

For the reasons stated in the Memorandum Opinion of this date, the Court concludes that the decision of the Commissioner denying benefits to the Plaintiff is not supported by substantial evidence and should be reversed and remanded for further consideration pursuant to sentence four of 42 U.S.C. § 405(g). **The parties have sixty (60) days from the entry of the judgment on the docket in which to appeal.**

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., 30 days after the 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 AND ADJUDGED this 5th day of August, 2015

*/s/ Mark E. Ford*

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE