

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JOHNNIE ATWELL

PLAINTIFF

VS.

Civil No. 2:15-cv-02023-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 27th day of October, 2015

/s/ Mark E. Ford

HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE