

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

DWAYNE THOMAS MYERS

PLAINTIFF

V. CIVIL ACTION NO. 2:15-CV-2187-MEF

CAROLYN W. COLVIN, Commissioner,
Social Security Administration

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and having heard oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench following the parties' oral argument, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Remand is necessary to allow the ALJ to obtain RFC assessments from Dr. Al-Khatib and the consultative cardiologist in order to develop the record with regard to the Plaintiff's RFC. Upon obtaining the RFC assessments, the ALJ should then reconsider Plaintiff's RFC and include said

RFC in an appropriately phrased hypothetical question to the vocational expert to determine whether work exists in significant numbers in the national economy the Plaintiff can perform.

IT IS SO ORDERED AND ADJUDGED on this the 24th day of August, 2016.

/s/ Mark E. Ford

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE