

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

KIMBERLY HAM

PLAINTIFF

V.

CIVIL ACTION NO. 2:17-cv-2048-MEF

NANCY A. BERRYHILL, Acting
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 her 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 the parties having waived oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench, 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).

The Court does not find substantial evidence to support the ALJ's RFC determination in this case. Accordingly, on remand, the ALJ is directed to reconsider the Plaintiff's ability to reach overhead bilaterally. Additionally, the ALJ is ordered to recall the vocational expert and question him regarding the availability of work for individuals with only 10 degrees of flexion and extension in the neck and a limited ability to reach overhead bilaterally.

IT IS SO ORDERED AND ADJUDGED on this the 26th day of March, 2018.

/s/ Mark E. Ford

HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE