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

SHANNON JOHNETT PIERINI

                                                                    PLAINTIFF

V.   CIVIL NO. 2:17-cv-02071-MEF

NANCY A. BERRYHILL, Acting   DEFENDANT
Commissioner Social Security Administration[1]

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 decision in this case.

Accordingly, on remand, the ALJ is directed to reconsider the opinion evidence from Plaintiff's

treating physician, Dr. Michael Miranda, and the orthopedic consultative examiner, Dr. Ted

Honghiran, particularly as such opinion evidence relates to Plaintiff's ability to sit, her need for

any unscheduled breaks to elevate her legs, and her postural and manipulative limitations resulting

from her diabetic peripheral neuropathy. Upon reconsideration, if the ALJ chooses to discount the

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[1] Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal
Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as
the defendant in this suit.

medical opinions of the treating physician and consultative examiner, he should clearly state his reasons for doing so.

IT IS SO ORDERED AND ADJUDGED on this the 1st day of March 2018.

/s/ Mark E. Ford
HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE