

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

AMBER LYNN CROWDEN

PLAINTIFF

V.

Case No. 2:20-cv-02203-MEF

KILOLO KIJAKAZI, Acting Commissioner,<sup>1</sup>  
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 insurance 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:

Consistent with the Court's ruling from the bench on December 29, 2021, 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. Remand is necessary to allow the ALJ to obtain more information regarding the functional limitations imposed by Plaintiff's fibromyalgia and her mental impairments. Accordingly, on remand, the ALJ is directed to request RFC assessments from Plaintiff's treating

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<sup>1</sup> Kilolo Kijakazi became Acting Commissioner of the Social Security Administration on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

physicians, Dr. Robert Baker, Dr. Margaret Tremwel, Dr. David Knox, and Dr. Jared Ennis or Dr. Jason Holt. If the ALJ is unable to obtain RFC assessments from Plaintiff's treating physicians, then the ALJ is directed to order consultative physical and mental examinations, complete with RFC assessments. With such additional evidence, the ALJ should reconsider the Plaintiff's RFC and his Step Four and Step Five findings.

IT IS SO ORDERED this the 29th day of December 2021.

/s/ Mark E. Ford

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE