IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS HARRISON DIVISION

EUGENE W. HURST PLAINTIFF

v.

Case No. 3:11-CV-03031

MICHAEL J. ASTRUE, Commissioner Social Security Administration

DEFENDANT

JUDGMENT

Currently before the Court is the Report and Recommendation (Doc. 12) dated May 24, 2012,

by the Honorable James R. Marschewski, Chief United States Magistrate Judge for the Western

District of Arkansas. The objection period has passed without objections being filed by either party.

The Court has reviewed this case, and being well and sufficiently advised, finds that the

Report and Recommendation is proper and should be adopted in its entirety. Accordingly, the Court

hereby adopts the Report and Recommendation; reverses the decision of the Administrative Law

Judge; and remands this case to the Commissioner for further consideration pursuant to sentence four

of 42 U.S.C. § 405(g).

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 until 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 (1993); 28 U.S.C. §§2412(d)(1)(B),(d)(2)(G).

IT IS SO ORDERED this 27th day of June, 2012.

P.K. HOLMES, III

CHIEF U.S. DISTRICT JUDGE

s/P. K. Holmes, III