

IN UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

CHRISTINA M. MCFARLAND

PLAINTIFF

vs.

Civil No. 3:23-cv-03056

MARTIN O'MALLEY

DEFENDANT

Commissioner, Social Security Administration

MEMORANDUM OPINION

On April 17, 2024, Defendant filed an Unopposed Motion to Reverse and Remand and Brief in Support. ECF No. 12.¹ The motion states Plaintiff has no objections. *Id.* The parties have consented to the jurisdiction of a magistrate judge to conduct any and all proceedings in this case, including conducting the trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. ECF No. 7. Pursuant to this authority, the Court issues this memorandum opinion and orders the entry of a final judgment in this matter.

According to Defendant, after further consideration and review of the administrative law judge's decision and the certified administrative record, the Commissioner respectfully requests a remand so further administrative proceedings may be conducted. ECF No. 12.

This Court finds this motion is well taken and should be granted. The Commissioner's decision is reversed, and this matter is hereby remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. Plaintiff may still, however, file a motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

¹ The docket numbers for this case are referenced by the designation "ECF No." The transcript pages for this case are referenced by the designation "Tr."

A judgment incorporating these findings will be entered pursuant to Federal Rules of Civil Procedure 52 and 58.

ENTERED this 18th day of April 2024.

/s/ *Barry A. Bryant*

HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE