

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

DEMETRIUS S. GOLSTON
on behalf of R.D.G., a minor

PLAINTIFF

v.

Case No. 4:15-cv-04009

CAROLYN COLVIN Commissioner,
Social Security Administration

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed January 15, 2016, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 9). Judge Bryant recommends the finding that the decision of the Administrative Law Judge, denying benefits to Plaintiff on behalf of R.D.G. is not supported by substantial evidence and recommends that the decision be reversed and remanded.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). The Court adopts the Report and Recommendation *in toto*. Accordingly, the decision of the Commissioner is reversed, and this case is remanded to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g) (2006).

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 to thirty (30) days after the judgment becomes "not appealable" i.e., thirty (30) days after the sixty (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 3rd day of February, 2016.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge