

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

CHARLES D. BRAY

PLAINTIFF

v.

Case No. 4:15-cv-4049

CAROLYN W. COLVIN,  
Commissioner, Social Security Administration

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed April 22, 2016, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 12). Judge Bryant Recommends that the Court reverse the decision of the Commissioner and remand this case to the Commissioner for further consideration pursuant to sentence four of 42 U.S.C. § 405(g) (2006). 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. This case is remanded to the Commissioner for further consideration. 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 13th day of May, 2016.

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