

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

SHEILA DEVERE

PLAINTIFF

v.

CIVIL NO. 20-5213

KILOLO KIJAKAZI,<sup>1</sup> Acting Commissioner  
Social Security Administration

DEFENDANT

**MEMORANDUM OPINION**

Plaintiff, Sheila Devere, brought this action pursuant to 42 U.S.C. § 405(g), seeking judicial review of a decision of the Commissioner of the Social Security Administration (Commissioner) denying her application for a period of disability and disability insurance benefits (DIB) and supplemental security income (SSI) benefits under the provisions of Titles II and XVI of the Social Security Act (Act). On November 21, 2021, the District Court upheld the ALJ's decision finding Plaintiff not disabled. (ECF No. 21). On March 22, 2022, the United States Court of Appeals for the Eighth Circuit granted Defendant's unopposed motion to reverse and remand the matter to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g). (ECF No. 26, Attachment 1). Based on the foregoing, the Court hereby reverses the decision of the Commissioner and remands this case for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).

DATED this 24th day of March 2022.

/s/ *Christy Comstock*  
HON. CHRISTY COMSTOCK  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Kilolo Kijakazi, has been appointed to serve as Acting Commissioner of Social Security, and is substituted as Defendant, pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure.