

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

RICKY LEE MCLEROY

PLAINTIFF

v.

CIVIL NO. 23-cv-5190

MARTIN J. O'MALLEY, Commissioner
Social Security Administration

DEFENDANT

JUDGMENT

For reasons stated in the memorandum opinion dated May 9, 2024, the Court hereby **GRANTS** the Defendant's Unopposed Motion for Reversal and Remand (ECF No. 17) and remands this case for further consideration pursuant to sentence four of 42 U.S.C. §405(g). **The parties have sixty days from entry of the judgment on the docket in which to appeal.**

If Plaintiff wishes to request an award of attorney's fees and costs under the Equal Access to Justice Act, 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, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B), (d)(2)(G).

IT IS SO ORDERED AND ADJUDGED this 9th day of May 2024.

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