

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

DOROTHEA MOORE  
*On Behalf Of*  
A Minor Child, J.L.S.

PLAINTIFF

vs.

Civil No. 6:05-cv-06066

MICHAEL J. ASTRUE<sup>1</sup>  
Commissioner, Social Security Administration

DEFENDANT

**JUDGMENT**

Comes now the Court on this the 4<sup>th</sup> day of February, 2008, in accordance with the Memorandum Opinion entered in the above-styled case on today's date, and **GRANTS** the Commissioner's Motion to Remand. (Doc. No. 27). The decision of the Commissioner of Social Security is reversed, and this matter is remanded to the Commissioner pursuant to sentence four, 42 U.S.C. § 405(g).

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, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B),(d)(2)(G).

**IT IS SO ORDERED AND ADJUDGED this 4<sup>th</sup> day of February 2008.**

/s/ Barry A. Bryant  
Honorable Barry A. Bryant  
United States Magistrate Judge

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<sup>1</sup> Michael J. Astrue became the Social Security Commissioner on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue has been substituted for acting Commissioner Jo Anne B. Barnhart as the defendant in this suit.