

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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VERSUS

U.S. COMMISSIONER,
SOCIAL SECURITY
ADMINISTRATION

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CIVIL ACTION NO. 6:14-cv-02889

JUDGE HAIK

MAGISTRATE JUDGE HANNA

JUDGMENT


This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Commissioner's decision is **REVERSED and REMANDED** to the Commissioner for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ The Commissioner is instructed to (1) fully and completely develop the record with regard the claimant's residual functional capacity by obtaining a functional analysis by a treating physician or by a consultative examiner

¹ A fourth sentence remand constitutes a "final judgment" that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); *Freeman v. Shalala*, 2 F.3d 552 (5th Cir. 1993).

who meets with the claimant and evaluates her functionality; (2) permit the claimant to supplement the record as appropriate or necessary; (3) again evaluate the claimant's residual functional capacity; and (4) again evaluate whether the claimant was disabled on or after May 31, 2009. The claimant shall be afforded the opportunity to submit additional evidence and to testify at a supplemental hearing.

Lafayette, Louisiana, this 27th day of December, 20 .


Richard T. Haik
United States District Judge