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MAR 30 2016 TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

NATALIE M. THORNTON

CIVIL ACTION NO. 15-0114

VERSUS

JUDGE DOHERTY

COMMISSIONER OF SOCIAL
SECURITY

MAGISTRATE JUDGE WHITEHURST

JUDGMENT

This matter was referred to United States Magistrate Judge Carol B. Whitehurst for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge 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 REMANDED to the Commissioner for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ This includes, but does not limit, sending the case to the hearing level with instructions to the Administrative Law Judge to evaluate the opinions of claimant's treating physician, Dr. Legnon, and the sources at Tyler Mental Health Center, and to obtain an updated residual functional capacity assessment. Claimant shall be afforded the opportunity to submit additional evidence and to testify at a supplemental hearing.

¹A 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).

THUS DONE AND SIGNED in Lafayette, Louisiana, this 30th day of March

2016.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE