

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

MARY MARGARET CHAMPAGNE

CIVIL ACTION NO. 6:16-cv-01116

VERSUS

JUDGE FOOTE

U.S. COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION

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 ORDERED, ADJUDGED, AND DECREED that the Commissioner's decision is REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the Commissioner is instructed to (1) properly weigh the opinions of all of the physicians who have treated the claimant since the alleged disability onset date, (2) properly evaluate whether the claimant's impairments meet or medically equal the requirements of Listing 1.02 or

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 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).

Listing 1.04, (3) properly consider and weigh the lay witness evidence provided by the claimant's former employer, and (4) again evaluate the claimant's residual functional capacity. The claimant should also be afforded an opportunity to supplement the record with updated medical records and to testify at another hearing.

Signed at Shreveport, Louisiana, this 21st day of September, 2017.



ELIZABETH E. FOOTE
UNITED STATES DISTRICT JUDGE