

NOV 28 2017

TONY R. MOORE, CLERK
BY: MB
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

RYAN JAMES BROUSSARD

CIVIL ACTION NO. 6:16-cv-01546

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

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 consideration of objections filed, 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 properly evaluate and weigh the medical opinion evidence and to again evaluate the claimant's residual functional capacity. The claimant should be afforded the opportunity to submit updated medical evidence and to testify at another hearing.

Signed at Alexandria, Louisiana, this 28th day of November, 2017.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE

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).