

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

EVANGELIA FALGOUT

CASE NO. 6:24-CV-00534

VERSUS

JUDGE ROBERT R. SUMMERHAYS

U.S. COMMISSIONER OF
SOCIAL SECURITY

MAG. JUDGE WHITEHURST

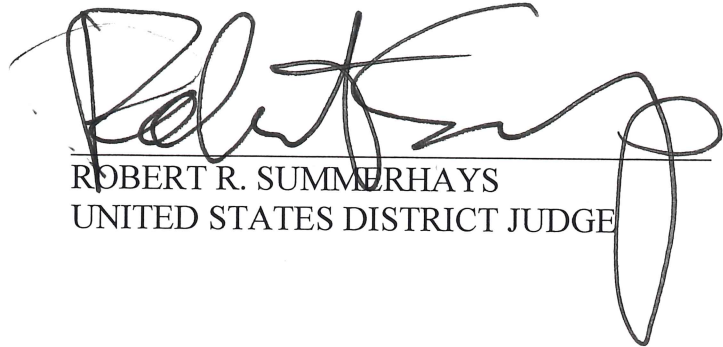
JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge, and after an independent review of the record, noting the absence of any objection, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the Commissioner's decision is REVERSED, and this matter is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the Commissioner is instructed to re-evaluate Claimant's residual functional capacity, whether Claimant is capable of performing sedentary work with restrictions accounting for POTS, and whether she is disabled. The claimant should be afforded the opportunity to submit updated medical evidence and to testify at another hearing.

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).

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 23rd day of
October, 2024.



ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE