

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CATHERINE A. BLAND,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 3:13cv544-CSC
) (WO)
 CAROLYN W. COLVIN,)
 Acting Commissioner of Social Security,)
)
 Defendant.)

OPINION and ORDER

On February 7, 2014, the parties filed a joint motion to remand for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). *See* Doc. # 17. The parties have consented to entry of final judgment by the United States Magistrate Judge. *See* 28 U.S.C. § 636(c). Accordingly, it is

ORDERED that the parties' joint motion to remand (doc. # 17) be and is hereby GRANTED. It is further

ORDERED AND ADJUDGED that the decision of the Commissioner be and is hereby REVERSED and this case be and is hereby REMANDED to the Commissioner for further proceedings. The Commissioner is DIRECTED to assign this case to an Administrative Law Judge with instructions to further consider the opinions of Ms. Bland's physicians, Drs. Howorth and Powers, and to take any other additional actions necessary to evaluate the case. Based on this new evaluation, the Administrative Law Judge will render a new decision regarding Plaintiff's eligibility for disability insurance benefits for the period beginning

February 12, 2010. Finally, it is

ORDERED that, in accordance with *Bergen v. Comm'r of Soc. Sec.*, 454 F.3d 1273, 1278 fn. 2 (11th Cir. 2006), the plaintiff shall have **ninety (90)** days after she receives notice of any amount of past due benefits awarded to seek attorney's fees under 42 U.S.C. § 406(b). *See also Blich v. Astrue*, 261 Fed. Appx. 241, 242 fn.1 (11th Cir. 2008).

Done this day of 10th day of February, 2014.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE