

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-4205

Varnice Parker,

Appellant,

v.

Kenneth S. Apfel, Commissioner,
Social Security Administration,

Appellee.

*
*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the Eastern
District of Arkansas.

[UNPUBLISHED]

Submitted: December 22, 2000

Filed: December 26, 2000

Before BEAM, FAGG, and LOKEN, Circuit Judges.

PER CURIAM.

Varnice Parker appeals the district court's denial of Parker's Federal Rules Civil Procedure 59(e) motion requesting the court amend its judgment in her disability benefits case to reflect its remand was under sentence four of 42 U.S.C. § 405(g). While this appeal was pending, the administrative law judge (ALJ) reconsidered Parker's claim and entered an order awarding Parker benefits back to her claimed onset date of disability. We conclude the ALJ's decision granted Parker all the relief she sought and thus mooted this appeal. See Burton v. Daniels, 815 F.2d 1239, 1241 (8th

Cir. 1987) (Commissioner mooted claimants' appeal for immediate reinstatement of their benefits by reinstating claimants' benefits while their appeal was pending; thus, there was no "live controversy" to adjudicate).

Accordingly, we dismiss Parker's appeal as moot.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.