

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**JEFFERY GARCIA CARTER, )  
JR., )**

**Claimant, )**

**vs. )**

**Civil Action No. 5:18-cv-0027-CLS**

**NANCY A. BERRYHILL, Acting )  
Commissioner, Social Security )  
Administration, )**

**Defendant. )**

**MEMORANDUM OPINION AND ORDER**

The magistrate judge entered a report on December 3, 2018, recommending that this court should reverse the decision of the Commissioner of the Social Security Administration to deny claimant’s claim for a period of disability and disability insurance benefits, and remand the case to the Commissioner for further consideration of the Department of Veterans Affairs disability benefits letter.<sup>1</sup> Claimant was notified of his right to file objections within fourteen days of the report and recommendation,<sup>2</sup> but to date, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court concludes that the

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<sup>1</sup> Doc. no. 17 (Report and Recommendation).

<sup>2</sup> *Id.* at 20-21.

Commissioner's decision was not supported by substantial evidence because it did not adequately address the Department of Veterans Affairs disability benefit letter. Accordingly, the magistrate judge's report is hereby **ADOPTED**, and the recommendation is **ACCEPTED**. The decision of the Commissioner is **REVERSED**, and this action is **REMANDED** to the Commissioner of the Social Security Administration for further proceedings consistent with this memorandum opinion and order.

The Clerk is directed to close this file.

DONE this 20th day of December, 2018.

  
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United States District Judge