Jones v. Social Security Administration Commissioner Doc. 5

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

SHEILA L. JONES PLAINTIFF

v. CIVIL NO. 08-2052

MICHAEL J. ASTRUE, Commissioner
Social Security Administration DEFENDANT

O R D E R

Pending before this court is the above action seeking judicial review of a decision of the Commissioner of the Social Security Administration (Commissioner) denying plaintiff's claim for supplemental security income (SSI) benefits under the provisions of Title XVI of the Social Security Act (Act).

Plaintiff filed a brief identifying points of appeal on September 3, 2008. (Doc. 3). In this brief, plaintiff argues that medical evidence not before the ALJ but submitted and returned by the Appeal Council for lack of relevance supports her claim for disability benefits during the relevant time period. The medical evidence is not before the court.

Plaintiff is directed to file a motion for new and material evidence stating the reasons why this medical evidence is relevant and should be considered when making a disability determination during the relevant time period. The standard used to submit additional evidence is set out in 42 U.S.C. § 405(g). Plaintiff must file this motion on or before July 15, 2009.

IT IS SO ORDERED this 8th day of July, 2009.

/s/ J. Marschewski
HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE

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