

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

BRANDON L. ROZELL

PLAINTIFF

V.

Civil No. 2:23-cv-02019-MEF

MARTIN O'MALLEY, Commissioner,
Social Security Administration

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his application for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and the parties having waived oral argument, finds as follows:

Consistent with the Court's ruling from the bench, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The Court finds that the ALJ's RFC restriction to unskilled light work with occasional climbing, balancing, stooping, kneeling, crouching, and crawling; frequent but not constant handling and fingering bilaterally; and no concentrated exposure to hazards, such as unprotected heights, work around unprotected machinery, or driving as a part of the work, is not supported by substantial evidence. The record reveals that the Plaintiff suffers from a condition known as very long-chain acyl-CoA dehydrogenase deficiency ("VLCAD"), a rare genetic disorder that prevents the body from turning certain fats into energy. Symptoms of VLCAD include periods of

hypoglycemia, excessive sleepiness, behavior changes, irritable mood, poor appetite, cardiomyopathy, muscle weakness, and rhabdomyolysis, which is characterized by muscle cramping, dark urine, and feeling weak or tired. Records dating back to March 2018 document Plaintiff's complaints of pain, numbness, and weakness in his extremities, bolstered by physical exams noting generalized muscle weakness, right side worse than the left, and muscle twitching.

Accordingly, we find that remand is necessary to allow the ALJ to reconsider the Plaintiff's VLCAD and the impact it has on his ability to perform the range of light work included in the RFC determination. In so doing, the ALJ should order a consultative physical exam, complete with an RFC assessment addressing the Plaintiff's ability to lift and carry up to 20 pounds occasionally, stand and walk for extended periods, frequently handle and finger with both hands, and use his upper and lower extremities to perform other work-related tasks. The ALJ should also inquire as to what, if any, connection exists between the Plaintiff's cardiac condition and his VLCAD diagnosis, as VLCAD is associated with cardiomyopathy.

IT IS SO ORDERED AND ADJUDGED on this 26th day of February 2024.

/s/ Mark E. Ford

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE