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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KARA L. LYONS,)	Case No. ED CV 14-942-PJW
)	
Plaintiff,)	
)	MEMORANDUM OPINION AND ORDER
v.)	
)	
CAROLYN W. COLVIN,)	
COMMISSIONER OF THE)	
SOCIAL SECURITY ADMINISTRATION,)	
)	
Defendant.)	

Before the Court is Plaintiff's appeal of a decision by Defendant Social Security Administration (the "Agency"), finding that she was disabled as of December 28, 2010. Plaintiff believes that the Administrative Law Judge ("ALJ") erred when he concluded that she was capable of working before that date and asks the Court to remand the case to the Agency for an award of benefits "for the period prior to December 28, 2010," meaning, presumably, from February 24, 1984, the day she was born. (Plaintiff's Remand Motion at 2.)

The Agency concedes that the ALJ erred and that the case should be remanded to the Agency for further consideration, but it argues that it should be remanded for reconsideration of the entire case,

1 meaning, the ALJ should reconsider whether Plaintiff is disabled at
2 all. (Defendant's Motion at 4.)

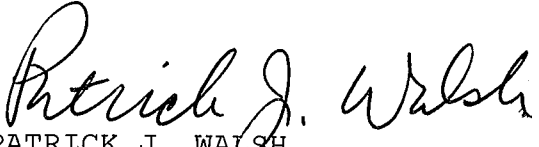
3 The Court finds fault in both arguments. The record is not clear
4 that Plaintiff's condition rendered her disabled from birth. Further,
5 the Agency has previously denied benefits based on applications she
6 filed in 2003 and 2006. Thus, the Court does not agree with Plaintiff
7 that remand for an award of benefits dating back to 1984 is warranted.

8 On the other hand, the Court does not find that remand to allow
9 the Agency to start over and reconsider its previous finding that
10 Plaintiff was disabled as of December 28, 2010 is appropriate either.
11 Even assuming that the ALJ erred in reaching that conclusion, as the
12 Agency seems to argue in its brief, the Agency is not allowed to
13 appeal that decision to this court.

14 For these reasons, the case is remanded to the Agency for further
15 consideration of the onset date. The ALJ may take whatever measures
16 he deems necessary to address that issue and may consider any evidence
17 he has before him in doing so, with the understanding that the onset
18 date cannot be any later than December 28, 2010.

19 IT IS SO ORDERED.

20 DATED: August 19, 2015.

21 
22 PATRICK J. WALSH
23 UNITED STATES MAGISTRATE JUDGE
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