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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SARAH JANE THOMAS,

 Plaintiff,

 v.

MARTIN O’MALLEY,
Commissioner of Social Security,

 Defendant.

) Case No.: 1:24-cv-0192 JLT HBK
)
) ORDER ADOPTING THE FINDINGS AND
) RECOMMENDATIONS, GRANTING
) PLAINTIFF’S MOTION FOR SUMMARY
) JUDGMENT, DENYING DEFENDANT’S
) CROSS-MOTION FOR SUMMARY
) JUDGMENT, AND REMANDING FOR
) FURTHER PROCEEDINGS PURSUANT TO
) SENTENCE FOUR OF 42 U.S.C. § 405(g)
)
) ORDER DIRECTING ENTRY OF JUDGMENT
) IN FAVOR OF PLAINTIFF SARAH JANE
) THOMAS AND AGAINST DEFENDANT
) MARTIN O’MALLEY, COMMISSIONER OF
) SOCIAL SECURITY
)
) (Docs. 14, 16, 18)
)

Sarah Jane Thomas initiated this action seeking judicial review of a final decision of the Commissioner of Social Security, which terminated her supplemental security income. (Doc. 1.) The magistrate judge determined “the ALJ’s finding of medical improvement is not supported by substantial evidence.” (Doc. 18 at 10.) The magistrate judge found this also “calls into question the subsequent steps of the sequential analysis including whether the assessed RFC and step five findings are supported by substantial evidence.” (*Id.* at 11.) Therefore, the magistrate judge recommended the matter be remanded for further proceedings, for the ALJ to “revaluate medical improvement,” “conduct a new sequential analysis, reassess Plaintiff’s RFC and, if necessary,

1 take additional testimony from a vocational expert which includes all of the limitations credited
2 by the ALJ.” (*Id.* at 12.) Thus, the magistrate judge also recommended Plaintiff’s motion for
3 summary judgment be granted, the Commissioner’s request to affirm be denied, and judgment be
4 entered in favor of Plaintiff. (*Id.*)

5 The Court served the Findings and Recommendations on the parties and notified them that
6 any objections were due within 14 days. (Doc. 18 at 12.) The Court also advised the parties the
7 “failure to file objections within the specified time may result in the waiver of certain rights on
8 appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) No objections
9 were filed, and the time to do so has passed.

10 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
11 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations
12 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 13 1. The Findings and Recommendations issued on November 8, 2024 (Doc. 18), are
14 **ADOPTED** in full.
- 15 2. Plaintiff’s motion for summary judgment (Doc. 14) is **GRANTED**.
- 16 3. Defendant’s request to affirm the administrative decision (Doc. 16) is **DENIED**.
- 17 4. The administrative decision is reversed, and the matter is **REMANDED** pursuant
18 to sentence four of 42 U.S.C. § 405(g) for further proceeding.
- 19 5. The Clerk is directed to enter judgment in favor of Plaintiff Sarah Jane Thomas,
20 and against Defendant Martin O’Malley, Commissioner of Social Security, and to
21 close this case.

22
23 IT IS SO ORDERED.

24 Dated: November 25, 2024


UNITED STATES DISTRICT JUDGE