

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

ROY L. GILBERT,)	
)	
Plaintiff,)	14-2045
)	
v.)	
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

ORDER

The plaintiff, Roy L. Gilbert, suffers from back and hip pain as well as some chest pain resulting from childhood surgery to correct a “funnel chest.” He has had several back surgeries to alleviate his pain, with limited success. Gilbert also suffers from depression and anxiety. He applied for social security disability benefits which the Administrative Law Judge (“ALJ”) denied, finding that Gilbert could perform certain types of light work that exist in significant numbers in the national economy.

Gilbert filed a complaint against the Commissioner of Social Security, seeking judicial review of the ALJ’s decision. Gilbert filed a motion for summary judgment, as did the Commissioner of Social Security. Magistrate Judge David G. Bernthal issued a report and recommendation, recommending that Gilbert’s motion for summary judgment be denied, and that the defendant’s motion be granted.

Thereafter, the plaintiff filed a timely objection to the report and recommendation, and the defendant filed a response. The matter is now fully briefed.

The court has carefully reviewed Judge Bernthal’s recommendations and Gilbert’s detailed assertions of perceived errors. The court need not address each of Gilbert’s objections because Judge Bernthal has thoroughly addressed the important points in his well-reasoned report and recommendation. No medical opinion found that Gilbert’s limitations prevented him from performing the light work described by the vocational expert. In fact, the ALJ considered updated evidence after Dr. Andrews formed his opinion, and concluded that Gilbert’s limitations were greater than those suggested by Dr. Andrews.

Therefore, the court accepts Judge Bernthal’s report and recommendation [20]. The plaintiff’s motion for summary judgment [15] is denied. The defendant’s motion for summary judgment [17] is granted.

It is so ordered. This case is terminated.

Entered this 20th day of July, 2015.

s/Harold A. Baker

HAROLD A. BAKER
UNITED STATES DISTRICT JUDGE