

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:12-CV-400-H

ROBERT F. MORALES

PLAINTIFF

V.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

MEMORANDUM OPINION AND ORDER



Robert Morales filed this action pursuant to 42 U.S.C. §405(g), seeking judicial review of an administrative decision of the Commissioner of Social Security, who denied his application for supplemental security income benefits. Mr. Morales asserts that the administrative law judge (“ALJ”) erred by failing to deem his post-traumatic stress disorder a severe impairment and by rejecting the opinion of his treating psychiatrist. Upon referral from this Court, the Magistrate Judge issued Findings and a Recommendation that the ALJ’s decision is generally supported by substantial evidence in the record, except his analysis of the degree to which Mr. Morales’s ability to adapt to respond appropriately to changes in the work setting. No party has objected to this finding.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the case should be remanded to the Commissioner of Social Security for further consideration only of the narrow issue of the degree to which Mr. Morales’s ability to adapt to pressures and changes normally found in a day-to-day work setting is impaired. In all other respects, the decision of the Commissioner is **AFFIRMED**.

This is a final order.

August 22, 2013



John G. Heyburn II, Judge
United States District Court

cc: Counsel of Record
Magistrate Judge James D. Moyer