

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>JEFFREY D.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>1:20-cv-00455-JDL</b>
	)	
<b>KILOLO KIJAKAZI,</b>	)	
<b>Acting Commissioner of</b>	)	
<b>Social Security Administration,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE  
MAGISTRATE JUDGE**

Jeffrey D., the Plaintiff, filed a Complaint (ECF No. 1) and Itemized Statement of Errors (ECF No. 13) requesting that the Administrative Law Judge’s (“ALJ”) April 15, 2020 Decision (ECF No. 11-2 at 10-33) that he was not disabled for the purposes of supplemental security income under the Social Security Act be vacated and remanded. United States Magistrate Judge John H. Rich III filed his Recommended Decision with the Court on December 19, 2021 (ECF No. 18), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2022) and Fed. R. Civ. P. 72(b). Judge Rich determined that, based on the Administrative Law Judge’s improper interpretation of raw medical evidence to assess the Plaintiff’s physical Residual Functional Capacity, the decision should be vacated and remanded. The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge provided notice that a party’s failure to object would waive the right to de novo review and appeal.

I have reviewed and considered the Recommended Decision, together with the entire record, and have made a de novo determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendations of the Magistrate Judge for the reasons set forth in his Recommended Decision and determine that no further proceedings are necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 18) of the Magistrate Judge is hereby **ACCEPTED**. The ALJ's Decision is vacated and remanded for further proceedings consistent with the Recommended Decision of the Magistrate Judge.

**SO ORDERED.**

**Dated: January 21, 2022**

/s/ JON D. LEVY  
**CHIEF U.S. DISTRICT JUDGE**