

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Tammy A. Israel,

Plaintiff,

Civil Case No. 20-11812

v.

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

ORDER ADOPTING
8/13/21 REPORT AND RECOMMENDATION

Plaintiff Tammy Israel filed this action seeking judicial review of Defendant Commissioner's final decision denying her application for disability insurance and supplemental security income benefits. The matter was referred to Magistrate Judge Anthony Patti for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation ("R&R") issued on August 13, 2021, the magistrate judge recommends that the Court: 1) grant Plaintiff's motion for summary judgment; 2) deny the Commissioner's cross-motion for summary judgment; and 3) remand to the Commissioner for actions specified in the R&R, "including a re-evaluation of the opinion evidence, an adequate articulation as to why any discounted medical opinions were unsupported or inconsistent, and a re-assessment and fuller explanation of the RFC to clarify the connection between the evidence upon which the ALJ relies and the RFC's various assessed limitations." (R&R at 24).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the August 13, 2021 R&R.

IT IS ORDERED that Defendant’s Motion for Summary Judgment is DENIED.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Summary Judgment is GRANTED and the matter is REMANDED to the Commissioner for actions specified in the R&R, including a re-evaluation of the opinion evidence, an adequate articulation as to why any discounted medical opinions were unsupported or inconsistent, and a re-assessment and fuller explanation of the RFC to clarify the connection between the evidence upon which the ALJ relies and the RFC’s various assessed limitations.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: September 9, 2021