

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**DEBORAH GOLD as Next Friend  
of Savannah Gold, a Minor**

**PLAINTIFF**

**V.**

**NO. 3:14CV00181-JMV**

**CAROLYN W. COLVIN,  
Acting Commissioner of Social Security**

**DEFENDANT**

**FINAL JUDGMENT**

This cause is before the court on Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying claims for a period of disability and Disability Insurance Benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit. The court, having reviewed the administrative record, the briefs of the parties, and the applicable law and having heard oral argument, finds as follows, to-wit:

Consistent with the court's ruling from the bench during oral argument, the court finds the ALJ erred by failing at Step 5 of the sequential evaluation process to obtain vocational expert testimony to assist in the determination of the extent to which the exertional job base was eroded in view of the claimant's combination of non-exertional limitations. On remand, the ALJ shall first obtain an updated physical residual functional capacity ("RFC") assessment from an agency physician and reevaluate the claimant's RFC based upon all the evidence in the record. Then, the ALJ shall obtain the opinion of a vocational expert regarding the existence of jobs in the national economy the claimant could perform during the relevant period. In reconsidering the

disability issue, the ALJ may conduct any additional proceedings that are not inconsistent with this order.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that this case is **REVERSED** and **REMANDED** for further proceedings.

This, the 10th day of April, 2015.

/s/ Jane M. Virden  
U. S. MAGISTRATE JUDGE