

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

DEBRA B. MAYNOR

PLAINTIFF

V.

NO. 3:14CV00187-JMV

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 and Supplemental Security Income. 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's determination that the claimant's mental impairment was not severe is not supported by substantial evidence in the record. Specifically, the court could find no support in the ALJ's decision or the record for his determination that the claimant experienced only a mild limitation in concentration, persistence, and pace due to depression. Additionally, Dr. Anne Brooks diagnosed the claimant with "psychogenic myalgia" in March 2013. This impairment was not addressed by the ALJ. Accordingly, on remand the ALJ shall order a comprehensive consultative mental status examination of the claimant and consider the findings and opinions generated therefrom along with the other evidence of record in reaching a new determination of

what effects the claimant's physical and mental impairment(s) have on her ability to work. If the ALJ reaches the fifth step in the sequential evaluation process, the ALJ shall obtain the opinion of a vocational expert regarding the existence of job's in the national economy that the claimant can perform despite all limitations associated with both physical and mental impairments. The ALJ may conduct any additional proceedings that are not inconsistent with this order.

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

This, the 28th day of May, 2015.

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