

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

MICHAEL ANTYON HENDERSON

PLAINTIFF

V.

NO. 3:18CV00093-JMV

**NANCY BERRYHILL
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 a claim for 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:

Consistent with the court's ruling from the bench during a hearing held March 21, 2019, the court finds the ALJ's residual functional capacity ("RFC") assessment with respect to the claimant's vision, back, and foot impairments is not supported by substantial evidence in the record.

On remand the ALJ must order a physical consultative examination(s) of the claimant and provide the physician(s) with all the medical evidence in the file related to his physical impairments. The ALJ must obtain from the physician(s) a function-by-function assessment of the claimant's ability to perform physical work activity and a comprehensive assessment

of the claimant's visual limitations.¹ The ALJ must consider the new evidence along with all the evidence in the record to make a new RFC determination. If necessary, the ALJ must also obtain supplemental vocational expert evidence. Ultimately, the ALJ will render a new decision on the issue of whether there is any work the claimant can perform, considering all his limitations along with relevant vocational factors.

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

This, the 21st day of March, 2019.

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

¹ The ALJ's mental RFC determination is not disturbed by this decision.