

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

MARTENA MARTIN

PLAINTIFF

NO. 4:19CV00076-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 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:

Consistent with the court's oral ruling during a hearing held today, the court finds the ALJ's residual functional capacity ("RFC") determination is not supported by substantial evidence in the record.

On remand, the ALJ must order a physical consultative examination of the claimant. The ALJ will provide the consultative examiner with copies of the claimant's medical records and request, from the examiner, a function-by-function assessment of physical RFC. Ultimately, the ALJ will make a new RFC determination that is supported by substantial evidence in the record. Further, the ALJ must provide an explanation, supported by

substantial evidence in the record, for rejecting any medical source opinion. And, to the extent necessary, the ALJ must obtain supplemental vocational expert evidence on the issue of whether there is any work the claimant can perform, considering her limitations.

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

This, the 18th day of February, 2020.

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