RODRIGUEZ v. BERRYHILL

v.

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARIALUISA RODRIGUEZ,

**CIVIL ACTION** 

Plaintiff

NO. 17-3180

ANDREW SAUL, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION<sup>1</sup>,

andont

Defendant.

## **ORDER**

AND NOW, this 12th day of May , 2021, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (ECF No. 14); Defendant's Response to Request for Review of Plaintiff (ECF No. 15); Plaintiff's Brief in Reply to Defendant's Brief in Response to Plaintiff's Request for Review (ECF No. 16); Defendant's Response to the Court's November 12, 2020 Order (ECF No. 22); and Plaintiff's Response to the Court's November 12, 2020 Order (ECF No. 23); and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated December 31, 2020, IT IS ORDERED that:

- 1. the Report and Recommendation is **APPROVED** and **ADOPTED**;
- 2. the relief sought by Plaintiff is **GRANTED** in part as described below; and
- 3. the case is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g), and in accordance with the Report and Recommendation.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.

<sup>&</sup>lt;sup>1</sup> Andrew M. Saul became the Commissioner of Social Security in June 2019. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted as a party in place of Nancy A. Berryhill, who was Acting Commissioner from January 23, 2017 through June of 2019.