

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Debra E. Thomas,)	
)	
Plaintiff,)	Civil Action No. 2:14-383-RMG
)	
vs.)	
)	
Carolyn W. Colvin, Commissioner of)	ORDER
Social Security,)	
)	
Defendant.)	
)	
)	
_____)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff’s application for Disability Insurance Benefits (“DIB”) and Supplemental Security Income (“SSI”). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation (“R & R”) on April 9, 2015 recommending that the decision of the Commissioner be reversed and remanded to the agency. (Dkt. No. 37). The Magistrate Judge’s recommendation is based on the Administrative Law Judge’s (“ALJ”) assessment of the opinions of Plaintiff’s treating specialist physician, Dr. Kellie Bishop. The ALJ gave “little weight” to the treating physician’s opinions because the physician allegedly failed to cite specific abnormalities in the medical records and her opinions were inconsistent with GAF scores in the record. Transcript of Record (“Tr.”) 24-25. The Magistrate Judge referenced numerous entries in the medical record in which specific abnormalities were referenced by Dr. Bishop and further concluded that it is legal error to rely

primarily on GAF scores to reject the opinion of a treating physician. (Dkt. No. 37 at 7-9). The Commissioner has filed a reply to the R & R indicating that she does not intend to file any objections to the recommendation of the Magistrate Judge. (Dkt. No. 39).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. M. Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
April 27, 2015