

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RHONDA LASHAWN GRIGGS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	No. 3:17-CV-3460-C (BT)
	§	
NANCY A. BERRYHILL, Deputy	§	
Commissioner for Operations of the	§	
Social Security Administration, ¹	§	
	§	
Defendant.	§	

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

This case has been referred to the United States Magistrate Judge for pretrial management under 28 U.S.C. § 636(b). Before the Court is Defendant Nancy A. Berryhill, Deputy Commissioner for Operations of the Social Security Administration’s Motion to Remand [ECF No. 17]. In this motion, the Deputy Commissioner asks the Court to remand this case under the fourth sentence of 42 U.S.C. § 405(g), “for further administrative action, including a new decision.” *See* Mot. 1-2. The Deputy Commissioner states in the Certificate of Conference that her counsel conferred with counsel for Plaintiff Rhonda Lashawn Griggs, and that Plaintiff does not oppose the Motion to Remand. *See* Mot. 4. Therefore, the Court recommends that the District Court grant the Commissioner’s Motion to

¹ Nancy A. Berryhill returned to her position as the Deputy Commissioner for Operations of the Social Security Administration in November of 2017. *See* [https:// www.ssa.gov/ agency/ commissioner.html](https://www.ssa.gov/agency/commissioner.html).

Remand, and remand this case for further administrative proceedings as requested.

SO RECOMMENDED.

April 19, 2018.



REBECCA RUTHERFORD
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a copy of these findings, conclusions, and recommendation on the parties. Pursuant to 28 U.S.C. § 636(b)(1), any party who desires to object to these findings, conclusions, and recommendation must serve and file written objections within fourteen days after service. A party filing objections must specifically identify those findings, conclusions, or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory, or general objections. A party's failure to file such written objections to these proposed findings, conclusions, and recommendation shall bar that party from a de novo determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections to the proposed findings, conclusions, and recommendation within fourteen days after service shall bar the aggrieved party from appealing the factual findings and legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).