

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LILLIE L. BRYANT,

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of
Social Security,

Defendant.

Civil Action No. 16-2196 (TJK/DAR)

ORDER

This matter is before the Court on the Report and Recommendation filed by Magistrate Judge Deborah A. Robinson on November 18, 2019. *See* ECF No. 24 (“R&R”). The Report and Recommendation cautioned the parties that failing to file an objection within 14 days of receipt could lead to waiver of the right to further review of the issues addressed. R&R at 30. Neither party objected to the Report and Recommendation, and the deadline to do so has passed. LCvR 72.3(b); Minute Order of November 27, 2019. And Defendant has affirmatively represented to the Court that it does not object. ECF No. 26.

Lillie Bryant brought this action seeking to reverse the final decision of the Commissioner of Social Security denying her application for disability benefits. *See* ECF Nos. 1, 5, 9, 24. She alleged that the decision of the Administrative Law Judge (ALJ) was not supported by substantial evidence and was erroneous as a matter of law. *See* ECF No. 9. Magistrate Judge Robinson, in a 30-page opinion, determined that the ALJ’s factual findings and legal conclusions about Bryant’s exertional capacity were amply supported by the record, but that those about Bryant’s respiratory condition, and her symptoms resulting from her hip and knee condition, were not supported by substantial evidence. R&R at 30. For those reasons,

Magistrate Judge Robinson recommended that this Court remand the matter to the Social Security Administration for further proceedings. *Id.*

After independent consideration of the Report and Recommendation, the lack of any objection, the entire record, and the applicable law, the Court **ORDERS** that:

1. The Report and Recommendation is hereby **ADOPTED** in its entirety;
2. Plaintiff's Motion for Judgment of Reversal, ECF No. 9, is **GRANTED**;
3. Defendant's Motion for Judgment of Affirmance, ECF No. 10, is **DENIED**; and
4. This case is **REMANDED** to the Social Security Administration for further proceedings with the Report and Recommendation.

SO ORDERED.

/s/ Timothy J. Kelly
TIMOTHY J. KELLY
United States District Judge

Date: December 5, 2019