

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF KANSAS

CARL W. COX,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 07-1370-WEB
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of	)	
Social Security,	)	
	)	
Defendant.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff seeks review of the Defendant's denial of disability insurance benefits and supplemental security income payments. The matter was referred to Magistrate Judge Reid for a recommendation and report pursuant to Fed. R. Civ. P. 72(b). Now before the Court is the Recommendation and Report of Magistrate Judge Reid. (Doc. 12). Neither party has filed a written objection.

The Magistrate Judge found the decision of the Administrative Law Judge (ALJ) should be reversed. The Magistrate found the ALJ erred in the weight accorded to the Plaintiff's treating physician. The ALJ did not give controlling weight to the opinions of Dr. Morris, the treating physician, and he did not indicate what weight he accredited to Dr. Morris. The ALJ did not describe how the evidence supported his RFC assessment. The ALJ did not specify why he believed the medical evidence did not support the Plaintiff's limitations.

The ALJ did not articulate what evidence served as the basis for his RFC findings. The ALJ must make a sufficient record to make the RFC findings.

Therefore it is ORDERED that the Recommendation and Report (Doc. 12) be adopted by the Court.

It is further ORDERED that the decision of the Commissioner be REVERSED and the matter be REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further development in accordance with the standards set out in the Recommendation and Report.

The Clerk of the Court is directed to enter Judgment accordingly.

SO ORDERED this 15th day of September, 2008.

s/ Wesley E. Brown  
Wesley E. Brown  
U.S. Senior District Judge