

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAFAYETTE DIVISION

Kenereis George v. Commissioner of Social Security

George · No. 6:24-CV-00664 · Decided March 31, 2026

SUMMARY

The United States District Court for the Western District of Louisiana overruled Kenereis George’s objections to the Magistrate Judge’s report and recommendation in an appeal from the Commissioner of Social Security’s finding of non-disability. The court held that although the Magistrate Judge cited superseded Social Security Ruling 96-7p rather than SSR 16-3p, the difference was largely semantic and did not affect the outcome. The court adopted the report and recommendation and affirmed the Commissioner’s decision.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lafayette Division
WRITING FOR THE COURT	Robert R. Summerhays
JURISDICTION	United States District Court for the Western District of Louisiana, Lafayette Division
DECIDED	March 31, 2026
DOCKET	6:24-CV-00664
DISPOSITION	affirmed
PROCEDURAL POSTURE	Review of the Commissioner's finding of non-disability following the claimant's objection to a magistrate judge's report and recommendation.
STANDARD OF REVIEW	The court conducted an independent review and consideration of the record in evaluating the objection to the report and recommendation.
PRECEDENTIAL VALUE	Nonprecedential district court ruling; the source identifies the precedential status as unknown.
PARTIES	Kenereis George v. Commissioner of Social Security

TOPICS

- judicial review of agency action
- agency adjudication
- administrative law
- ada / disability

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether reliance on Social Security Ruling 96-7p rather than Social Security Ruling 16-3p required rejection of the magistrate judge's report and recommendation.
2. Whether the Commissioner's non-disability determination should be affirmed after independent review of the record.

HOLDINGS

1. Social Security Ruling 16-3p superseded Social Security Ruling 96-7p and eliminated the term "credibility," but the change was largely semantic and did not require a different result where the magistrate judge's reasoning and conclusions were correct under either standard.
2. The Commissioner's decision is affirmed because the magistrate judge's reasoning and conclusions were correct under either SSR 96-7p or SSR 16-3p, and the remaining objections did not warrant a different result.

KEY QUOTATIONS

"However, the fact that the Magistrate Judge cited a superseded ruling and standard does not change the result here because the change brought about by SSR 16-3p was largely semantic."

"Based on the Court's independent review and consideration of the record, the Magistrate Judge's reasoning and conclusions were correct under either standard."

FACTUAL BACKGROUND

Kenereis George sought review of the Commissioner's determination that he was not disabled. The magistrate judge recommended affirming that determination. George objected, principally arguing that the magistrate judge used the superseded credibility terminology and standard from Social Security Ruling 96-7p instead of Social Security Ruling 16-3p.

PROCEDURAL HISTORY

The matter came before the district court on George's timely objection to the magistrate judge's report and recommendation, which recommended affirming the Commissioner's non-disability decision. George argued that the magistrate judge improperly relied on superseded Social Security Ruling 96-7p rather than Social Security Ruling 16-3p. The district court independently reviewed the record, overruled the objections, and adopted the report and recommendation in its entirety.

DISPOSITION

affirmed

CASES CITED

- Bays v. Colvin, No. 1:15-cv-199, 2016 WL 7324705, at *7 n.6 (E.D. Cal. Dec. 14, 2016)
- Lockwood v. Colvin, No. 15-192, 2016 WL 2622325, at *3 n.1 (N.D. Ill. May 9, 2016)
- Burnstad v. Colvin, No. 6:15-cv-00921, 2016 WL 4134535, at *11 n.9 (D. Or. Aug. 2, 2016)
- Dooley v. Commissioner of Social Security, 665 F. App'x 113, 119 (6th Cir. 2016)

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