

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Ronnie Cruz v. Leland Dudek, Acting Commissioner of Social
Security**

Cruz v. Dudek · No. 1:24-cv-0169 JLT GSA · Decided March 21, 2025

OPINION

(SS) Cruz v. Commissioner of Social Security

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 RONNIE CRUZ, Case No. 1:24-cv-0169 JLT GSA 12 Plaintiff, ORDER ADOPTING THE
FINDINGS AND

RECOMMENDATIONS, GRANTING

13 PLAINTIFF’S APPEAL, DENYING

DEFENDANT’S REQUEST TO AFFIRM,

14 v. AND REMANDING FOR FURTHER

PROCEEDINGS PURSUANT TO SENTENCE

15 LELAND DUDEK, FOUR OF 42 U.S.C. § 405(g)

Acting Commissioner of Social Security 1,

16 ORDER DIRECTING ENTRY OF

Defendant. JUDGMENT IN FAVOR OF PLAINTIFF

17 RONNIE CRUZ AND AGAINST

DEFENDANT LELAND DUDEK, ACTING

18 COMMISSIONER OF SOCIAL SECURITY

19 (Docs. 12, 16, 18) 20 21 Ronnie Cruz seeks judicial review of a final decision denying his
application for disability 22 insurance benefits under Title II of the Social Security Act. (Docs. 1,
12.) The magistrate judge 23 found substantial evidence did not support the decision finding
Plaintiff was not disabled, because 24 the ALJ failed to address evidence concerning Plaintiff’s
decreased visual acuity at step three of 25 the sequential evaluation and did not apply the proper
legal standards to determine Plaintiff’s 26 functional limitations. (Doc. 8 at 3-8.) Therefore, the
magistrate judge recommended that the 27 1 Leland Dudek became the Acting Commissioner of
Social Security in February 2025. Pursuant to Rule 25(d) of the 28 Federal Rules of Civil
Procedure, the Court substitutes Leland Dudek as the defendant in this action. 1 | Court grant
Plaintiffs appeal, deny Defendant’s cross-motion, remand the matter for further 2 | administrative

proceedings, and enter judgment in favor of Plaintiff. (/d. at 9.) 3 The Court served the Findings and Recommendations on the parties and notified them that 4 | any objections were due within 14 days. (Doc. 18 at 9.) The Court also advised the parties the 5 | “failure to file objections within the specified time may result in the waiver of rights on appeal.” 6 | Ud., citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Neither Plaintiff nor the 7 | Commissioner filed objections, and the time to do so has passed. 8 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. 9 | Having carefully reviewed the matter, the Court concludes the Findings and Recommendations 10 || are supported by the record and proper analysis. Thus, the Court ORDERS: 11 1. The Findings and Recommendations issued on March 6, 2025 (Doc. 18) are 12 ADOPTED in full. 13 2. Plaintiff's motion for summary judgment or remand (Doc. 12) is GRANTED. 14 3. The Commissioner's request to affirm (Doc. 16) is DENIED. 15 4. The action is REMANDED for further proceedings pursuant to sentence four of 16 42 U.S.C. § 405(g). 17 5. The Clerk of Court is directed to enter judgment in favor of Plaintiff Ronnie Cruz 18 and against Defendant Leland Dudek, Acting Commissioner of Social Security. 19 20 IT IS SO ORDERED. 21 | Dated: _Mareh 21, 2025 Charis [Tourn
TED STATES DISTRICT JUDGE
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