

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Harriss v. Commissioner of Social Security

Harriss · No. 1:22-cv-1068 JLT CDB · Decided July 15, 2025

OPINION

(SS) Harriss v. Commissioner of Social Security

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 JERRY HARRISS, Case No. 1:22-cv-1068 JLT CDB 12 Plaintiff, ORDER ADOPTING
FINDINGS AND

RECOMMENDATIONS, GRANTING

13 PLAINTIFF’S MOTION FOR SUMMARY

JUDGMENT AND REMANDING ACTION

14 v. PURSUANT TO SENTENCE FOUR OF 42

U.S.C. §405(g)

15 COMMISSIONER OF SOCIAL SECURITY,

ORDER DIRECTING ENTRY OF

16 Defendant. JUDGMENT IN FAVOR OF PLAINTIFF

JERRY HARRISS AND AGAINST

17 DEFENDANT COMMISSIONER OF

SOCIAL SECURITY

18 (Docs. 12, 15, and 17) 19 20 Jerry Harriss seeks judicial review of a final decision of the
Commissioner of Social 21 Security denying his application for a period of disability and
disability insurance benefits under 22 Title II of the Social Security Act. (Docs. 1, 12.) Plaintiff
asserted the administrative law judge 23 failed to properly evaluate Plaintiff’s subjective
complaints. (Doc. 12.) The Commissioner 24 argued the ALJ identified legally sufficient reasons
for rejecting Plaintiff’s statements, and 25 requested the Court affirm the administrative decision.
(Doc. 15.) 26 The magistrate judge found that the ALJ failed to provide clear and convincing
reasons 27 supported by substantial evidence in rejecting Plaintiff’s subjective symptomology
testimony. (Doc. 17 at 18-25.) In addition, the magistrate judge determined the ALJ’s error was
not 1 | harmless. (Ud. at 25.) Therefore, the magistrate judge recommended that the Court grant 2 |
Plaintiff’s appeal, reverse the decision of the ALJ, remand this matter for further proceedings, and
3 | enter judgment in favor of Plaintiff. (/d.) 4 The Court served the Findings and

Recommendations on the parties and notified them that 5 | any objections were due within 14 days. (Doc. 17 at 26.) The Court advised the parties that 6 | “failure to file any objections within the specified time may result in the waiver of certain rights 7 | on appeal.” (/d., citing Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)). Neither party 8 | filed objections, and the time to do so has passed. 9 According to 28 U.S.C. § 636(b)(1), the Court performed a de novo review of this case. 10 | Having carefully reviewed the entire matter, the Court concludes the Findings and 11 || Recommendations are supported by the record and proper analysis. Thus, the Court ORDERS: 12 1. The Findings and Recommendations issued on June 26, 2025 (Doc. 17) are 13 ADOPTED in full. 14 2. Plaintiff's motion for summary judgment (Doc. 12) is GRANTED. 15 3. The Commissioner’s request to affirm (Doc. 15) is DENIED. 16 4. The administrative decision is REVERSED. 17 5. This matter is REMANDED pursuant to sentence four of 42 U.S.C. §405(g) for 18 further proceedings. 19 6. The Clerk of Court is directed to enter judgment in favor of Plaintiff Jerry Harriss 20 and against Defendant Commissioner of Social Security. 21 92 | IT IS SO ORDERED. 23 | Dated: _ July 14, 2025 Charis [Tourn
TED STATES DISTRICT JUDGE
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