

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

C.D,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 7:24-cv-122 (WLS)
	:	
COMMISSIONER OF SOCIAL SECURITY,	:	
	:	
Defendant.	:	

ORDER

In this Social Security appeal, Plaintiff frames as Issue II that the ALJ “failed to properly resolve an apparent conflict between the vocational expert’s testimony and the Dictionary of Occupational Titles in accordance with [Social Security Ruling] 00-4p.” (Doc. 8-1, at 1). To reinforce that argument, Plaintiff cites the ALJ’s decision regarding the vocational expert’s testimony. *Id.* at 16. In return, the Commissioner argues that the Appeals Council granted Plaintiff’s request for review of the ALJ’s decision and notes that the Appeals Council also adopted the ALJ’s decision, with amendment to address the alleged apparent conflict. (Doc. 9, at 1-2). In addressing Plaintiff’s Issue II, however, the Commissioner exclusively cites the ALJ’s decision regarding said testimony. *Id.* at 10-11. Put differently, neither party addressed the Appeals Council’s amendment to the ALJ’s decision. Plaintiff failed to note the amendment entirely, and while the Commissioner noted the amendment, the Commissioner only cited the ALJ’s decision regarding the vocational expert’s testimony – but the Appeals Council had amended that portion of the ALJ’s decision. Thus, the Court finds that further briefing is necessary regarding the effect, if any, of the Appeals Council’s amendment to the ALJ’s decision regarding the alleged apparent conflict. *See* Tr. 4, 6.

Accordingly, Plaintiff shall file a supplemental brief no longer than five (5) pages excluding the certificate of service addressing only the Appeals Council's amendment to the ALJ's decision that is contained on Tr. 6 and what effect, if any, that amendment has on Plaintiff's Issue II **within fourteen (14) days** of the date of this Order. The Commissioner shall file a response brief no longer than five (5) pages excluding the certificate of service addressing Plaintiff's arguments on same **no later than seven (7) days** after the filing of Plaintiff's brief. **The Parties shall not brief any other issue.** If Plaintiff believes a reply is necessary, he may file a motion requesting leave to do so and setting forth his reasons for seeking a reply. Thereafter, the Court will consider this matter and issue a Recommendation.

SO ORDERED, this 25th day of September, 2025.

s/ **ALFREDA L. SHEPPARD**
UNITED STATES MAGISTRATE JUDGE