

**STANDING ORDER OF MAGISTRATE
JUDGE MARTIN C. ASHMAN
IN SOCIAL SECURITY CASES**

Magistrate Judge Martin C. Ashman

**Chambers: 1366
Courtroom: 1386**

This case comes before the Court on consent of the parties for review of the decision of the Commissioner of Social Security denying social security benefits to Plaintiff. The Court hereby adopts the following procedures for the disposition of this case pursuant to 42 U.S.C. § 405(g):

MOTION AND BRIEFING GUIDELINES

A. Pleadings Format

A social security appeal shall commence with the Complaint filed by Plaintiff. The Commissioner shall respond with an Answer as in any other civil case. The Commissioner shall also file the administrative record. In addition to the Complaint and Answer, the following shall be filed:

1. Plaintiff's brief in support of reversing or remanding the decision of the Commissioner;
2. Commissioner's response brief in support of affirming the decision of the Commissioner; and
3. Plaintiff's reply brief.

No motions (e.g.: motions for summary judgment; motions for judgment on the pleadings; or motions to affirm, reverse or remand) shall be filed.

B. Plaintiff's Brief

In preparing a social security brief, Plaintiff should do the following:

1. Identify the specific grounds for reversal or remand early in the brief (e.g.: the ALJ erred by failing to discuss the treating physician's recommendation that Plaintiff is disabled, or the ALJ erred by failing to include the limitations with Plaintiff's right hand in the hypothetical to the vocational expert). Be as specific as possible.
2. State clearly the relief requested.
3. Include only those facts that relate to the issues presented. It is not necessary to include Plaintiff's entire medical history if it is not relevant to the issues raised.
4. It is not necessary to spend three to four pages repeating the well recognized standards for the five-part test. Cite a case that you believe accurately states the legal principles you wish the Court to apply. Make the Court aware of relevant contrary authority.
5. Attach a copy of the ALJ's decision as an exhibit to the brief.

C. Commissioner's Response Brief

_____ In responding to Plaintiff's brief, the Commissioner should do the following:

1. Consider whether a voluntary remand is appropriate. If so, please contact Plaintiff's counsel and prepare the appropriate stipulation.

2. Supplement Plaintiff's facts where needed for the issues presented.

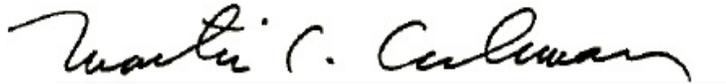
Do not feel compelled to repeat the facts.

3. Cite those portions of the record that constitute substantial evidence in support of the ALJ's decision.

D. Oral Argument

Judge Ashman does not conduct oral argument in social security cases.

ENTER:

A handwritten signature in black ink, appearing to read "Martin C. Ashman", written over a horizontal line.

MARTIN C. ASHMAN
United States Magistrate Judge

Dated: January 15, 2008.