

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

April 13, 2018

Before

WILLIAM J. BAUER, *Circuit Judge*

KENNETH F. RIPPLE, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

No. 17-1954

ALEJANDRO MORENO,
Plaintiff-Appellant,

v.

NANCY BERRYHILL,
Acting Commissioner of Social Security,
Defendant-Appellee.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 1:15-cv-11168

Sidney I. Schenkier, *Magistrate Judge.*

ORDER

The Acting Commissioner of Social Security has filed a petition for panel rehearing in which she requests that the panel delete one sentence of the opinion issued on February 16, 2018. The sentence, which appears on page 13 of the slip opinion, states: “We have made clear, however, that ALJs are not qualified to evaluate medical records themselves, but must rely on expert opinions.” The Acting Commissioner suggests that, when severed from its factual context, the sentence could be read as holding that ALJs are forbidden in all circumstances from independently evaluating medical records. She therefore requests that we substitute the following, more tailored language: “That assessment was not justified under the circumstances of this case.”

The petition is granted. The sentence suggested by the Acting Secretary will be substituted as requested and is reflected in the attached amended opinion.