

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MYRA BURNETT,

Plaintiff,

v.

Case No: 2:16-cv-431-FtM-CM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

This matter comes before the Court upon review of Defendant's Unopposed Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant (Doc. 22) filed on January 9, 2017. Defendant requests that the Court remand this case to the Commissioner for further administrative proceedings. Doc. 22 at 1-2. Plaintiff does not oppose the motion. *Id.* at 2. Pursuant to Title 42, United States Code, Section 405(g), the Court may reverse the decision of the Commissioner with or without remanding the case for a rehearing. Upon due consideration, Defendant's motion will be granted.

ACCORDINGLY, it is hereby

ORDERED:

1. Defendant's Unopposed Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant (Doc. 22) is **GRANTED**. The decision of the Commissioner is **REVERSED** and this

action is **REMANDED** under sentence four of 42 U.S.C. § 405(g) to the Commissioner for the Administrative Law Judge to:

- a. Further develop the record and issue a new decision;
 - b. Consider any new, updated, or additional evidence for the relevant time period;
 - c. Take any further action necessary.
2. The Clerk shall enter judgment accordingly and close the file.

DONE and **ORDERED** in Fort Myers, Florida on this 9th day of January, 2017.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record