

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

GALEN HAMPTON FILMORE,

Plaintiff,

v.

Case No: 5:20-cv-478-GKS-PRL

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This case is before the Court on the Commissioner's motion to stay the case for ninety days, or until the Social Security Agency ("SSA") regains the capacity to produce the certified transcript of the record necessary for this case. (Doc. 15). Previously, the Court granted in part the motion to stay and the Commissioner has had a total of sixty days to file an answer and the transcript for the record in this case. (Doc. 14).

Due to public health concerns, the SSA has transitioned to a maximum telework environment which prevented it from adhering to its business process for preparing the transcript of the record in many cases. Additionally, the complaints filed in SSA cases have increased, which has resulted in a backlog of work, making it difficult for the agency to process the transcripts in a timely manner.

Plaintiff has filed a response to the motion setting forth objections including that the Commissioner has been asking for stays in cases for over ten months now, which will likely cause delays in the later stages of the proceedings. (Doc. 16). Plaintiff's point is well taken. Given the unique challenges caused by the pandemic, the Court is inclined to afford

additional time to the Commissioner in order to obtain the transcript of the record in this case. Indeed, the need for an extension must be balanced with Plaintiff's right to have his case decided.

Accordingly, the Commissioner's opposed motion to stay (Doc. 15) is GRANTED in part. The Commissioner shall file an answer and the transcript of the record for this case within 60 days. If additional time is needed the Commissioner should file a declaration specific to this case and explain why the transcript of the record has not yet been prepared. No further extension will be granted absent extraordinary cause as to this case.

DONE and **ORDERED** in Ocala, Florida on February 17, 2021.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties