

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

COLLEEN DAVIS,

Plaintiff,

-vs-

Case No. 6:06-cv-1249-Orl-28KRS

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This case is before the Court on Defendant's Motion to Re-Open (Doc. No. 34) filed June 18, 2008 and Motion to Affirm the Commissioner's Decision Subsequent to Remand and For Entry of Judgment (Doc. No. 35) filed June 18, 2008. The United States Magistrate Judge has submitted a report recommending that the motions be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed January 14, 2009 (Doc. No. 36) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Defendant's Motion to Re-Open (Doc. No. 34) is **GRANTED**.
3. Defendant's Motion to Affirm the Commissioner's Decision Subsequent to Remand and For Entry of Judgment (Doc. No. 35) is **GRANTED**.

4. The Clerk is directed to reopen this case.

5. A Judgment Affirming The Commissioner's Decision Subsequent to Remand is being entered contemporaneously with this Order.

6. Following entry of judgment, the Clerk is directed to close this file.

DONE and **ORDERED** in Chambers, Orlando, Florida this 24th day of February, 2009.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party