

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

ROBIN WISSEN,

Plaintiff,

v.

Case No. 6:15-cv-966-Orl-37GJK

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

This cause is before the Court on the following:

1. U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 14), filed April 25, 2016;
2. Commissioner's Response to the Magistrate Judge's Report and Recommendation (Doc. 15), filed May 4, 2016; and
3. Plaintiff's Response to the Magistrate Judge's Report and Recommendation (Doc. 16), filed May 10, 2016.

In this social security action, U.S. Magistrate Judge Gregory J. Kelly recommends that the Court reverse the final decision of the Commissioner and remand the action for further proceedings. (Doc. 14 ("**R&R**").) Magistrate Judge Kelly's recommendation is based on his conclusion that the Administrative Law Judge ("**ALJ**") erred at step four of the sequential evaluation process by failing to articulate good cause to assign "little to no weight" to the opinion of Plaintiff's treating physician ("**Decision**"). (See *id.* at 5–10.) Indeed, Magistrate Judge Kelly specifically rejects all four of the ALJ's stated reasons for the Decision. (*Id.* at 7–10.) Neither party objects to the R&R. (See Docs. 15, 16.)


Having independently reviewed the R&R for fairness and in the absence of any objection, this Court agrees with Magistrate Judge Kelly and adopts his R&R. See Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1) (suggesting that a de novo review is only required when a party objects to the proposed findings and recommendations); see also *Thomas v. Arn*, 474 U.S. 140, 150–51 (1985) (concluding that R&Rs without objection should be reversed only for clear error).

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 14) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The decision of the Commissioner is **REVERSED** and the case is **REMANDED** for further proceedings.
3. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiff and against Defendant and to **CLOSE** the case.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on May 11, 2016.



  
ROY B. DALTON JR.  
United States District Judge

Copies:

Counsel of Record

