

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

KEITH ROBERTS,

Plaintiff,

v.

Case No: 6:16-cv-36-Orl-40TBS

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

This cause is before the Court on Plaintiff's Appeal of the Commissioner of Social Security's final decision to deny his application for disability insurance benefits and supplemental security benefits (Doc. 1) filed on January 11, 2016. The United States Magistrate Judge has submitted a report recommending that the Commissioner's final decision be reversed and the case be remanded, pursuant to sentence four of 42 U.S.C. §405(g).

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. The Report and Recommendation filed December 19, 2016 (Doc. 21), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Appeal of the Commissioner of Social Security's final decision to deny application for disability insurance benefits and supplemental security benefits (Doc. 1) is

**REVERSED and the case REMANDED** for further proceedings consistent with the finding in the Report and Recommendation filed December 19, 2016 (Doc. 21).

3. The Clerk is **DIRECTED** to enter judgment accordingly and **CLOSE** the file.

4. Plaintiff is **advised** that the deadline to file a motion for attorney's fees pursuant to 42 U.S.C. §406(b) shall be thirty (30) days after Plaintiff receives notice from the Social Security Administration of the amount of past due benefits awarded.

5. Plaintiff is **DIRECTED** that upon receipt of such notice, he shall promptly email Mr. Rudy and the OGC attorney who prepared the Commissioner's brief to advise that the notice has been received.

**DONE AND ORDERED** in Orlando, Florida on January 10, 2017.

  
PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties