

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

ANNETTE WOOD,

Plaintiff,

v.

Case No: 6:16-cv-241-Orl-28JBT

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This case is before the Court on Plaintiff's complaint seeking review of the final decision of the Commissioner of Social Security ("Commissioner") denying her claim for Disability Insurance Benefits ("DIB"). (Doc. 1). The assigned United States Magistrate Judge has submitted a report recommending that the Commissioner's decision be reversed and remanded. No objections have been filed and the time for doing so has passed.

After an independent *de novo* review of the record in this matter, 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 6, 2017 (Doc. 24) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

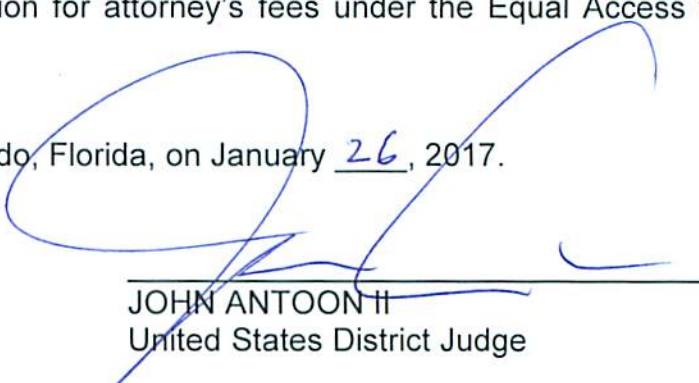
2. The Clerk of the Court is directed to enter judgment, pursuant to sentence four of 42 U.S.C. § 405(g), **REVERSING** the Commissioner's decision and **REMANDING** with instructions to the Commissioner to: (a) adequately address the VA disability determination in accordance with this decision; (b) address the opinions of Dr. Lenore

Levin; (c) address the opinions of Dr. Daniel Philpot; (d) reconsider Plaintiff's RFC if appropriate; and (e) conduct any further proceedings deemed appropriate.

3. The Clerk of Court is further directed to close the file.

4. Should this remand result in the award of benefits, pursuant to Rule 54(d)(2)(B) of the Federal Rules of Civil Procedure, Plaintiff's attorney is **GRANTED** an extension of time in which to file a petition for authorization of attorney's fees under 42 U.S.C. § 406(b). Plaintiff's attorney shall file such a petition within **thirty (30) days** from the date of the Commissioner's letter sent to Plaintiff's counsel of record at the conclusion of the Agency's past due benefit calculation stating the amount withheld for attorney's fees. See In re: Procedures for Applying for Attorney's Fees Under 42 U.S.C. §§ 406(b) & 1383(d)(2), Case No. 6:12-mc-124-Orl-22 (M.D. Fla. Nov. 13, 2012). This Order does not extend the time limits for filing a motion for attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412.

DONE and **ORDERED** in Orlando, Florida, on January 26, 2017.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record