

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ARELIS B. RODRIGUEZ OLIVO,

Plaintiff,

v.

Case No: 6:16-cv-259-Orl-40JRK

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER

This cause is before the Court on Plaintiff's appeal of the Commissioner of Social Security's final decision (Doc. 1) filed on February 16, 2016. The United States Magistrate Judge has submitted a report recommending that the final decision of the Commissioner be reversed and remanded.

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 January 30, 2017 (Doc. 18), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Appeal of the Commissioner of Social Security's decision (Doc. 1) is **REVERSED AND REMANDED**.

3. The Clerk of the Court is **DIRECTED** to enter judgment pursuant to 42 U.S.C. § 1383(c)(3) and sentence four of § 405(g) **REVERSING** the Commissioner's final decision and **REMANDING** this matter with the following instructions:

(A) Reevaluate whether Plaintiff has medically improved to the point of being no longer disabled and therefore ineligible for SSI, being sure to obtain whatever evidence may be missing that predates the CPD and to compare the original medical evidence with the new medical evidence prior to making any determination of improvement.

(B) If appropriate, reevaluate the medical opinions.

(C) Take such other action as may be necessary to resolve this claim properly.

4. The Clerk is further **DIRECTED** to close the file.

DONE AND ORDERED in Orlando, Florida on February 22, 2017.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties