

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

NICOLE MARIE COATES,

Plaintiff,

v.

Case No: 6:17-cv-791-Orl-40GJK

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

REPORT AND RECOMMENDATION

This cause came on for consideration without oral argument on the following motion filed herein:

MOTION: DEFENDANT’S UNOPPOSED MOTION FOR ENTRY OF JUDGMENT UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g), WITH REMAND TO THE DEFENDANT (Doc. No. 17)

FILED: November 13, 2017

THEREON it is RECOMMENDED that the motion be GRANTED.

On November 13, 2017, the Commissioner of Social Security (the “Commissioner”) filed a motion (the “Motion”) requesting that the Court enter judgment reversing her final decision and remanding the case for further proceedings pursuant to 42 U.S.C. § 405(g). Doc. No. 17. The Commissioner seeks remand to: 1) obtain updated medical records from Plaintiff’s treating physicians; 2) evaluate all evidence of record; 3) evaluate whether Plaintiff’s impairments medically or functionally equal the severity of a listed impairment; and 4) if necessary, hold a

supplemental hearing and obtain expert testimony to determine the severity and limitations of Plaintiff's mental impairments. *Id.* at 1. The Motion is unopposed. *Id.* at 2.

Considering the foregoing, it is **RECOMMENDED** that the Court:

- 1) **GRANT** the Motion (Doc. No. 17); and
- 2) **ENTER** judgment **REVERSING** the Commissioner's final decision and **REMANDING** the case for further proceedings; and
- 3) **DIRECT** the Clerk to close the case.

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1. **To expedite remand of this case, if the parties have no objection to this report and recommendation they should promptly file a joint notice of no objection.**

Recommended in Orlando, Florida on November 14, 2017.



GREGORY J. KELLY
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy