

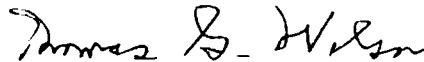
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SCOTT G. MITCHELL, :
 :
 :
 Plaintiff, :
 :
 :
 v. : CASE No. 8:08-CV-1573-T-33TGW
 :
 :
 MICHAEL J. ASTRUE, :
 Commissioner of Social Security, :
 :
 :
 Defendant. :
 :
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REPORT AND RECOMMENDATION

This is a Social Security case in which the Commissioner of Social Security has moved to remand this case for further administrative proceedings following the entry of judgment pursuant to the fourth sentence of 42 U.S.C. 405(g) and 1383(c)(3).^{*} It is represented in the motion that counsel for the plaintiff has no objection to such a remand. I therefore recommend that the Motion for Entry of Judgment with Remand (Doc. 9) be granted.

Respectfully submitted,



THOMAS G. WILSON

UNITED STATES MAGISTRATE JUDGE

DATED: MARCH 2, 2009

^{*}This matter comes before the undersigned pursuant to the Standing Order of this court dated January 5, 1998. See also Local Rule 6.01(c)(21).

NOTICE TO PARTIES

Failure to file written objections to the proposed findings and recommendations contained in this report within ten days from the date of its service shall bar an aggrieved party from attacking the factual findings on appeal. 28 U.S.C. 636(b)(1).