

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SANDRA L. SMITH,

Plaintiff,

v.

CASE NO. 8:11-CV-1795-T-17TBM

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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ORDER

This cause is before the Court on:

Dkt. 22 Report and Recommendation

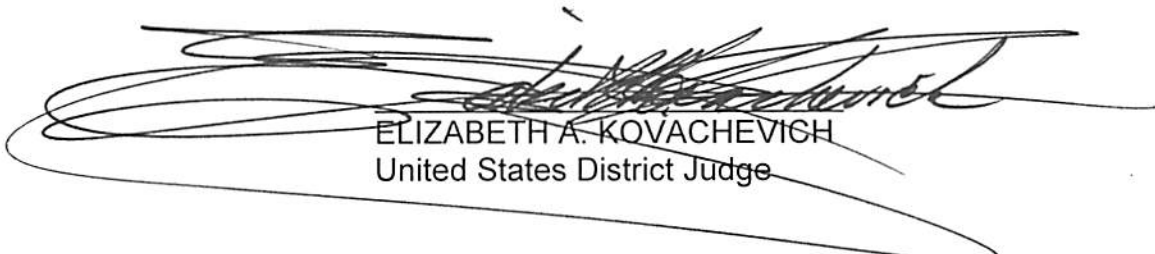
Plaintiff Sandra L. Smith seeks review of the denial of her claim for Supplemental Security Income benefits. The assigned Magistrate Judge has entered a Report and Recommendation in which it is recommended that the decision of the Commissioner of the United States Social Security Administration be reversed, because it is not supported by substantial evidence or is not in accordance with the correct legal standards. It is further recommended that this case be remanded for further proceedings consistent with the Report and Recommendation.

The Court has independently reviewed the pleadings and the record. No objections to the Report and Recommendation have been filed. After consideration, the Court adopts and incorporates the Report and Recommendation. Accordingly, it is

Case No. 8:11-CV-1795-T-17TBM

ORDERED that the Report and Recommendation is **adopted** and **incorporated**. The decision of the Commissioner of the United States Social Security Administration is **reversed**. This case is **remanded** for further proceedings consistent with the Report and Recommendation: 1) to explicitly consider and explain the weight accorded to the report of William C. Hulley, D.O.; and to 2) revisit the treating physician evidence of Anthony Sankoorikal, M.D., in light of the applicable standard. The Clerk of Court shall enter a final judgment in favor of Plaintiff Sandra L. Smith and against Defendant Michael J. Astrue, Commissioner of Social Security, and close this case. Plaintiff shall file a motion for attorney's fees and costs as directed by the Local Rules of the Middle District of Florida and the Federal Rules of Civil Procedure.

DONE and ORDERED in Chambers, in Tampa, Florida on this
16th day of July, 2012.



ELIZABETH A. KOVACHEVICH
United States District Judge

Copies to:
All parties and counsel of record