

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ANGELA BROWN,

Plaintiff,

v.

Case No: 8:13-cv-1121-T-36EAJ

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Elizabeth A. Jenkins on February 2, 2015 (Doc. 27). Magistrate Judge Jenkins recommends that the decision of the Commissioner be reversed and this case remanded for further proceedings. Neither party has objected to the Report and Recommendation and the time to do so has expired.

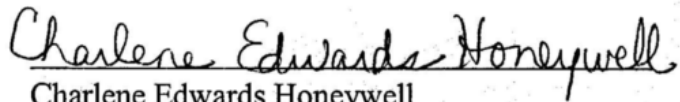
After careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** as follows:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 27) is **ADOPTED, CONFIRMED, and APPROVED** in all respects and is made a part of this Order for all purposes, including appellate review.

- (2) The decision of the Commissioner is **REVERSED**. This case is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings.
- (3) The Clerk is directed to terminate any pending motions, enter a judgment in favor of Plaintiff, and close this case. The final judgment shall state that if Plaintiff ultimately prevails in this case upon remand to the Social Security Administration, any motion for attorney's fees under 42 U.S.C. § 406(b) must be filed no later than thirty (30) days after the date of the Social Security letter sent to the 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 Fees* under 42 U.S.C. §§ 406(b) and 1383(d)(2), No. 6:12-mc-124-CRL-22 (M.D. Fla. Nov. 13, 2012).

DONE and **ORDERED** at Tampa, Florida on February 23, 2015.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
U.S. Magistrate Judge Elizabeth A. Jenkins