

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DUSTIN JAMES KWILECKI,

Plaintiff,

v.

Case No: 8:14-cv-2240-T-36MAP

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Mark A. Pizzo on January 8, 2016 (Doc. 15). Magistrate Judge Pizzo recommends that a judgment be entered for the Plaintiff and the case remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including consideration of the new medical evidence. Additionally, Magistrate Judge Pizzo recommends that the case be remanded pursuant to sentence six of 42 U.S.C. § 405(g) for consideration of the newly submitted evidence. 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. 15) is **ADOPTED**, **CONFIRMED**, and **APPROVED** in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) The final 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 administrative proceedings, including consideration of the new medical evidence, and pursuant to sentence six of 42 U.S.C. § 405(g) for consideration of the newly submitted evidence.
- (3) The Clerk is directed to terminate any pending motions, enter a judgment in favor of Plaintiff, and close this case.

DONE and **ORDERED** at Tampa, Florida on January 27, 2016.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
U.S. Magistrate Judge Mark A. Pizzo