

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

LISA BECKFORD,

Plaintiff,

v.

Case No. 8:16-cv-175-T-33TBM

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

ORDER

This matter is before the Court on consideration of United States Magistrate Judge Thomas B. McCoun, III's Report and Recommendation (Doc. # 26), entered on August 16, 2017, recommending that the decision of the Commissioner of Social Security denying benefits be reversed. As of this date, neither party has filed an objection to the report and recommendation, and the time for the parties to file such objections has elapsed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings de novo, Garvey v. Vaughn, 993 F.2d 776, 779 n. 9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions de novo, even in the absence of an objection. See Cooper-Houston v.

Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving de novo review to matters of law, the Court accepts the factual findings, the legal conclusions, and the recommendation of the magistrate judge.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) United States Magistrate Judge Thomas B. McCoun, III's Report and Recommendation (Doc. # 26) is **ACCEPTED** and **ADOPTED**.
- (2) The decision of the Commissioner of Social Security denying benefits is **REVERSED** and **REMANDED** for further administrative proceedings.
- (3) The Clerk is directed to enter a Judgment in favor of the Plaintiff reflecting that the Commissioner's decision denying benefits is reversed and remanded. Thereafter, the Clerk is directed to **CLOSE THE CASE**.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 31st day of August, 2017.