

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

INDRANI BEKIEMPIS,

Plaintiff,

v.

Case No: 8:16-cv-192-T-27TGW

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

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**ORDER**

**BEFORE THE COURT** is the Report and Recommendation submitted by the Magistrate Judge recommending that the decision of the Commissioner be reversed and the case be remanded for further proceedings. (Dkt. 14). Neither party has filed objections and the time for doing so has expired.

A district court may accept, reject or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). In the absence of specific objections, there is no requirement that factual findings be reviewed *de novo*, and the court may accept, reject or modify, in whole or in part, the findings and recommendations. § 636(b)(1)(C); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). Legal conclusions are reviewed *de novo*, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x. 554, 556 (11th Cir. 2010) (citing *United States v. Warren*, 687 F.2d 347, 348 (11th Cir. 1982)); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving *de novo* review to matters of law,

1) The Report and Recommendation (Dkt. 14) is **APPROVED** and **ADOPTED** for all purposes, including for appellate review.

2) The decision of the Commissioner is **REVERSED** and this case is **REMANDED** for further proceedings.

3) The Clerk is directed to **CLOSE** this case.

**DONE AND ORDERED** this 1<sup>st</sup> day of February, 2017.

  
**JAMES D. WHITTEMORE**  
United States District Judge

Copies to:  
Counsel of record