

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MARISA RAE WILDER,

Plaintiff,

v.

Case No. 8:16-cv-1111-T-33MAP

NANCY BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Mark A. Pizzo's Report and Recommendation (Doc. # 17), filed on May 2, 2017, recommending that the decision of the Commissioner of Social Security denying SSI benefits be reversed and remanded for further administrative proceedings. 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).

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-Hous. v. S. 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 and legal conclusions of the Magistrate Judge, and the recommendation of the Magistrate Judge.

Accordingly, it is now


ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 17) 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 for further administrative proceedings. Thereafter, the Clerk is directed to **CLOSE THE CASE.**

(4) The matter of fees and costs shall be addressed upon further pleadings.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 17th day of May, 2017.

A rectangular area with a light orange background containing a handwritten signature in dark ink. The signature is partially obscured and appears to be a name followed by a date or initials.