

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

KAYLA HARDY,

Plaintiff,

v.

Case No. 8:24-cv-1364-JRK

MICHELLE KING,
Acting Commissioner of Social
Security,¹

Defendant.

_____ /

ORDER

This cause is before the Court on Defendant's Unopposed Motion for Entry of Judgment with Remand (Doc. No. 24; "Motion"), filed January 27, 2025, that seeks to have this matter reversed and remanded to the Social Security Administration for further administrative proceedings. Motion at 1. Such a disposition is clearly within the Court's authority. See Shalala v. Schaefer, 509 U.S. 292 (1993). Accordingly, it is

ORDERED:

1. Defendant's Unopposed Motion for Entry of Judgment with Remand (Doc. No. 24) is **GRANTED**.

¹ Michelle King became the Acting Commissioner of Social Security in January 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Ms. King is substituted for Carolyn W. Colvin as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

2. The Clerk of Court is directed to enter judgment **REVERSING AND REMANDING** this case pursuant to sentence four of 42 U.S.C. § 405(g) with the following instructions:

On remand, the Appeals Council will instruct the ALJ to further develop the record and ensure that evidence considered at the October 2012 comparison point decision (CPD) is added to the current record. In so doing, compare the prior and current medical evidence to determine whether there has been improvement in the symptoms, signs or laboratory findings associated with the impairments present at the time of the claimant's most recent favorable medical decision. Further, the Appeals Council will direct the ALJ to exhibit the attempts to obtain evidence predating the CPD.

3. The Clerk is further directed to close the file.

DONE AND ORDERED in Jacksonville, Florida on January 28, 2025.


JAMES R. KLINDT
United States Magistrate Judge

kaw
Copies:
Counsel of Record