

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

ANTONIO MILLER,

Plaintiff,

v.

CASE NO. 1:13-cv-00198-MP-GRJ

CAROLYN W COLVIN,

Defendant.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated May 23, 2014. (Doc. 18). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The time for filing objections has passed, and none have been filed.

Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The magistrate judge's Report and Recommendation (Doc. 18) is adopted and incorporated by reference in this order.

2. Defendant's Motion to Remand (Doc. 17) is GRANTED. The decision of the Commissioner denying benefits is REVERSED and REMANDED pursuant to sentence four of 42 U.S.C. § 405(g).
3. On remand, the Appeals Counsel should vacate the May 1, 2012 decision and direct the administrative law judge to reevaluate Plaintiff's impairments in a manner consistent with 20 C.F.R. § 416.994 (2013), the provision for determining whether a disability continues or ends. The Appeals Council also should direct the ALJ to provide Plaintiff with an opportunity to submit additional evidence. After evaluating the evidence, the ALJ should issue a de novo decision regarding Plaintiff's continuing disability.
4. The Clerk of Court is directed to enter final judgment, terminate any pending motions, and close the file.

DONE AND ORDERED this 30th day of June, 2014

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge