

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

CALVIN L. FARMER,

Plaintiff,

v.

Case No. 4:16cv614-MW/CAS

**NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,**

Defendant.

_____ /

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 17. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. The Clerk shall enter judgment stating, "The decision of the Commissioner to deny Plaintiff's applications for Social Security benefits is **REVERSED** and this case is **REMANDED** to the Administrative Law Judge to reconsider whether Plaintiff meets or medically equals the criteria of Listing 12.05B and C, to reconsider the opinion of Dr. Kline and/or refer Plaintiff for a second consultative examination,

and to conduct further proceedings as deemed appropriate. Further, the Clerk shall substitute Nancy A. Berryhill as Acting Commissioner of Social Security for Carolyn W. Colvin.” The Clerk shall close the file.

SO ORDERED on April 10, 2017.

s/Mark E. Walker
United States District Judge