

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-80393-CIV-CANNON/Reinhart

PATRICIA LOUISE BOGGS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

THIS CAUSE comes before the Court upon Defendant's Unopposed Motion for Entry of Judgment Under 42 U.S.C. § 405(g) and for Remand (the "Motion") [ECF No. 11], filed on July 11, 2022. Pursuant to the Order of Referral, the Motion was referred to Magistrate Judge Bruce E. Reinhart for a Report and Recommendation [ECF No. 2]. On July 12, 2022, Judge Reinhart issued such a Report, recommending that the Motion be granted [ECF No. 12]. The Report also instructed the parties to file any objections on or before July 26, 2022 [ECF No. 12 p. 2]. Neither party has filed an objection to the Report, and the permitted time to do so has expired.

Upon review, the Court finds the Report to be correct. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation [ECF No. 12] is **ACCEPTED**.
 - a. The Unopposed Motion for Entry of Judgment under 42 U.S.C. § 405(g) and for Remand [ECF No. 11] is **GRANTED**.

- b. Defendant's final administrative decision is **REVERSED AND REMANDED** for further administrative proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g).
 - c. On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to obtain vocational expert (VE) evidence to determine if there are other jobs for which an individual with claimant's vocational profile can perform, and before relying on such evidence, the ALJ shall identify and resolve any apparent conflicts posed by the Dictionary of Occupational Titles and the VE's testimony pursuant to the requirements of SSR 00-4p; offer the claimant the opportunity for a new hearing; and issue a new decision.
2. The Court will enter a separate final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 28th day of July 2022.



AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record