

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JERRY RAY INGELS,

Plaintiff,

v.

Case No. 6:16-cv-1581-Orl-37KRS

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

In this social security appeal, Plaintiff seeks review of the Commissioner's decision to deny him social security disability benefits. (Doc. 1.) In support, Plaintiff lobs several objections to the Administrative Law Judge's ("**ALJ**") unfavorable decision to deny him benefits, including: (1) the ALJ erred in by giving little weight to the opinions of two treating physicians; and (2) the ALJ erred in determining Plaintiff's residual functional capacity ("**RFC**"). (*See generally* Doc. 14, pp. 15-36.)

On referral, U.S. Magistrate Judge Karla R. Spaulding recommends that the Court reverse the Commissioner's decision and remand for further proceedings. (Doc. 15 ("**R&R**").) Specifically, Magistrate Judge Spaulding agrees with Plaintiff that the ALJ erred in giving little weight to the opinions of two treating physicians and in determining Plaintiff's RFC. (*Id.* at 11-15.) Such errors necessitate reversal and remand. (*Id.* at 15.)

The parties did not object to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only for clear error. *See Wiand v. Wells*

*Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at \*1 (M.D. Fla. Jan. 28, 2016); *see also Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no clear error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Karla R. Spaulding's Report and Recommendation (Doc. 15) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's final decision is **REVERSED AND REMANDED** for further proceedings consistent with this Order.
3. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiff Jerry Ray Ingels and against Defendant Commissioner of Social Security and to close this case.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on February 15, 2018.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:  
Counsel of Record