

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

BRYAN ALAN KROPP,

Plaintiff,

v.

Case No: 6:17-cv-667-Orl-37DCI

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

REPORT AND RECOMMENDATION

This cause comes before the Court for consideration without oral argument on the following motion:

**MOTION: UNOPPOSED MOTION FOR ENTRY OF JUDGMENT
WITH REMAND (Doc. 24)**

FILED: January 25, 2018

THEREON it is RECOMMENDED that the motion be GRANTED.

On January 25, 2018, the Commissioner of Social Security (the Commissioner) filed an Unopposed Motion for Entry of Judgment with Remand (the Motion). Doc. 24. In the Motion, the Commissioner requested that her decision be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) so that the following may occur:

The Commissioner believes that remand would be appropriate for further administrative proceedings. Specifically, the Administrative Law Judge (ALJ) should: 1) properly consolidate Plaintiff's applications for disability; 2) offer Plaintiff an opportunity for a new hearing; 3) issue a new decision; and 4) exhibit all materials considered in issuing the decision, update the electronic file accordingly, and issue an updated exhibit list.

Id. at 1. The Motion is unopposed. *Id.* Upon review of the reasons for reversal and remand of the Commissioner's decision, the undersigned finds the Motion well-taken.

Accordingly, it is **RECOMMENDED** that:

1. The Motion (Doc. 24) be **GRANTED**;
2. For the above stated reasons, the final decision of the Commissioner be **REVERSED** and **REMANDED** to the Commissioner pursuant to sentence four of Section 405(g);
and
3. The Clerk be directed to enter a separate judgment in favor of Plaintiff and to close the case.

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1. **If the parties have no objection to this Report and Recommendation, they may promptly file a joint notice of no objection in order to expedite the final disposition of this case.**

DONE AND ORDERED in Orlando, Florida on January 26, 2018.



DANIEL C. IRICK
UNITES STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties