

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

**JAMES HON,**

**Plaintiff,**

**v.**

**Case No: 6:17-cv-1118-Orl-41PDB**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**ORDER**

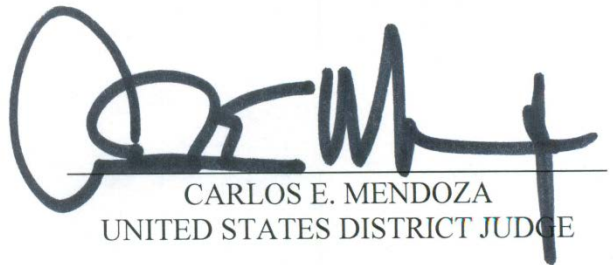
THIS CAUSE is before the Court on the Commissioner of Social Security's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) with Remand of the Cause to the Commissioner (Doc. 19). United States Magistrate Judge Patricia D. Barksdale submitted a Report and Recommendation (Doc. 20), recommending that the Court grant the motion.

After a *de novo* review, and noting that no objections were timely filed, the Court agrees with the analysis in the Report and Recommendation. It is therefore **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 20) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Commissioner of Social Security's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) with Remand of the Cause to the Commissioner (Doc. 19) is **GRANTED**.

3. The Commissioner's final decision is **REVERSED** pursuant to sentence four of 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3).
4. This case is **REMANDED** with the following instructions: On remand, the Appeals Council will refer the matter to an administrative law judge ("ALJ") with instructions to evaluate the claimant's alleged mental impairments using the B criteria psychiatric review technique pursuant to the Listings in Section 12.00. If necessary, the ALJ will further evaluate the claimant's residual functional capacity and further assess the claimant's ability to perform past relevant work. The ALJ will, if warranted, obtain supplemental evidence from a vocational expert to clarify the effects of the assessed limitations on the occupational base. Finally, the ALJ will reconsider only the time period before January 6, 2016.
5. The Clerk is directed to enter judgment in favor of Plaintiff and against the Commissioner. Thereafter, the Clerk is directed to close this case.

**DONE** and **ORDERED** in Orlando, Florida on April 30, 2018.



CARLOS E. MENDOZA  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record