

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

ELISE S. SKARE,

Plaintiff,

v.

Case No: 6:17-cv-1840-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
UNDER SENTENCE FOUR OF 42 U.S.C. § 405(G) WITH
REVERSAL AND REMAND OF THE CAUSE TO
DEFENDANT (Doc. 18)**

FILED: July 6, 2018

THEREON it is RECOMMENDED that the motion be GRANTED.

On July 6, 2018, the Commissioner of Social Security filed a motion for entry of judgment with remand (the Motion). Doc. 18. In the Motion, the Commissioner states that:

Upon remand, the Appeals Council will affirm the Administrative Law Judge's finding that the claimant was disabled beginning November 1, 2016. For the period prior to November 1, 2016, the Appeals Council will instruct the Administrative Law Judge to obtain medical expert opinion evidence, reevaluate the opinion evidence consistent with 20 C.F.R. § 404.1527, reevaluate the claimant's residual functional capacity, reevaluate the established onset date consistent with Social Security Ruling 83-20, if warranted obtain vocational expert evidence, take any further action to complete the administrative record, and issue a new decision.

Id. at 1. In light of the foregoing, the Commissioner requests that her decision be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) so that an ALJ may perform the tasks detailed above. *Id.* at 1-2. The Motion is unopposed. *Id.* at 1. The undersigned finds the Motion well-taken.

Accordingly, it is **RECOMMENDED** that:

1. The Motion (Doc. 18) be **GRANTED**;
2. The final decision of the Commissioner be **REVERSED** and **REMANDED** to the Commissioner pursuant to sentence four of § 405(g) for the above stated reasons; and
3. The Clerk be directed to enter 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. **The parties may file a notice of no objection in they have no objection to this Report and Recommendation.**

Recommended in Orlando, Florida on July 16, 2018.



DANIEL C. IRICK
UNITES STATES MAGISTRATE JUDGE

Copies furnished to:
Presiding District Judge
Counsel of Record
Courtroom Deputy