

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

KATELYN STEPHENS,

Plaintiff,

v.

Case No. 6:18-cv-1214-Orl-37GJK

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 her disability insurance benefits, child disability benefits, and supplemental security income payments. (Doc. 1.) Plaintiff argues that the Administrative Law Judge ("ALJ") erred by applying the incorrect legal standards to one of Plaintiff's treating physician's opinions and to Plaintiff's testimony about her limitations. (*See* Doc. 14.)

On referral, U.S. Magistrate Judge Gregory J. Kelly recommends that the Court reverse the Commissioner's decision and remand for further proceedings. (Doc. 15 ("R&R").) Specifically, he agrees with Plaintiff that the ALJ did not state the weight afforded to one of the treating physician's opinions, so the Commissioner's final decision must be reversed. (*See id.* at 2-5.)

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 Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no such 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 Gregory J. Kelly'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** pursuant to sentence four of 42 U.S.C. § 405(g).
3. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiff Katelyn Stephens and against Defendant Commissioner of Social Security and to close this case.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on March 21, 2019.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:  
Counsel of Record