

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

ANTONIO GONZALEZ,

Plaintiff,

v.

Case No: 5:19-cv-325-TJC-PRL

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This cause is before the Court on the Report and Recommendation entered by the undersigned on October 22, 2024. (Doc. 19). In the Report, the undersigned recommended the dismissal of this case without prejudice for failure to prosecute following Plaintiff's failure to file his brief and subsequent failure to respond to the Court's order to show cause (Doc. 18). On December 2, 2024, the Court directed the Clerk to email William Patrick Westerfield (counsel who filed this case for Plaintiff back in 2019) certain case documents for the Plaintiff after finding that the email address for Mr. Westerfield had changed and ordered Mr. Westerfield to file a notice stating whether Plaintiff intended to pursue this appeal. (Doc. 21). On December 8, 2024, Mr. Westerfield filed a notice indicating that Plaintiff intended to pursue this appeal and that he was seeking to obtain new counsel. (Doc. 22).

On December 12, 2024, Plaintiff retained new counsel Richard A. Culbertson and Sarah Patience Jacobs (Docs. 23-24) and simultaneously filed a motion for an extension of time to file a brief (Doc. 26). On December 13, 2024, the Court granted Plaintiff's motion,

allowing Plaintiff until January 27, 2025 to file his brief, and directed the Clerk to administratively close the case until the filing of Plaintiff's brief. (Doc. 27).

The Clerk has now administratively closed the case. With the case set to reopen upon the filing of Plaintiff's brief, and given the changed posture of the case, a new Report and Recommendation would need to be issued.

Accordingly, the current Report and Recommendation (Doc. 19) is **withdrawn**.

DONE and **ORDERED** in Ocala, Florida on December 17, 2024.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy