

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

TONI DAVIS,

Plaintiff,

v.

Case No.: 2:23-cv-862-SPC-NPM

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER**

Before the Court is the Commissioner's Unopposed Motion for Entry of Judgment with Remand. (Doc. 18). The Commissioner believes that remand is appropriate to accomplish the following:

[R]econsider findings at the relevant steps of the sequential evaluation process, including but not limited to a reevaluation of the Plaintiff's residual functional capacity and the prior administrative findings. The Plaintiff will also be offered an opportunity for a hearing.

(Doc. 18). This Motion for Entry of Judgment with Remand is unopposed.

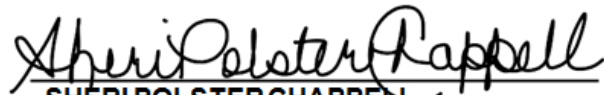
Under [42 U.S.C. § 405\(g\)](#), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. *See also Shalala v. Schaefer*, 509 U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). The Commissioner's request for remand will be granted.

Accordingly, it is now

**ORDERED:**

1. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 18) is **GRANTED**.
2. The decision denying benefits is **REVERSED** and this case is **REMANDED** pursuant to sentence four of [42 U.S.C. § 405\(g\)](#) for further proceedings.
3. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny all pending motions as moot, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida on April 11, 2024.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record