

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DANIEL CASTRENZE,

Plaintiff,

v.

Case No. 8:23-cv-1246-VMC-PDB

COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION,

Defendant.

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ORDER

This matter comes before the Court upon consideration of United States Magistrate Judge Patricia D. Barksdale's Report and Recommendation (Doc. # 28), entered on August 1, 2024, recommending that the motion to remand under the sixth sentence of 42 U.S.C. § 405(g) (Doc. # 25) be denied and the decision of the Commissioner of Social Security denying benefits be affirmed.

As of this date, neither party has filed an objection to the Report and Recommendation, and the time for the parties to file such objections has elapsed.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and

recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.

Accordingly, it is now

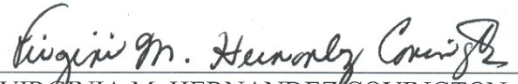
ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 28) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff Daniel Castrenze's motion to remand under the sixth sentence of 42 U.S.C. § 405(g) (Doc. # 25) is **DENIED**.

(3) The decision of the Commissioner of Social Security is **AFFIRMED**.

(4) The Clerk is directed to enter judgment accordingly and, thereafter, **CLOSE** this case.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 16th day of August, 2024.



VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE