

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

LUIS A. ROSADO PADILLA,

Plaintiff,

v.

Case No. 6:23-cv-2067-RBD-LHP

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

Before the Court is the parties' joint motion to remand. (Doc. 24 ("Motion").) On referral, U.S. Magistrate Judge Leslie Hoffman Price entered a Report and Recommendation stating that the Court should grant the Motion. (Doc. 25 ("R&R").) The parties did not object and the time has passed, so the Court examines the R&R for clear error only. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is due to be adopted.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. The R&R (Doc. 25) is **ADOPTED AND CONFIRMED** and made a part of this Order in its entirety.
2. The Motion (Doc. 24) is **GRANTED**.
3. The final decision of the Commissioner is **REVERSED AND**

REMANDED for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g), for reconsideration of whether Plaintiff's use of a cane was medically necessary, and for an Administrative Law Judge to hold a hearing and issue a new decision.

4. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiff and against the Commissioner, terminate all other pending motions as moot, and close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on April 2, 2024.




ROY B. DALTON, JR.
United States District Judge