

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

**GWENDOLYN BOSTICK,**

**Plaintiff,**

v.

**Case No.: 8:23-cv-2239-AAS**

**MARTIN O'MALLEY,  
Commissioner of Social Security  
Administration,**

**Defendant.**

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**ORDER**

The Commissioner of Social Security (Commissioner) moves to remand this case for further action under sentence four of 42 U.S.C. § 405(g). (Doc. 26). Plaintiff Gwendolyn Bostick did not respond and the time for doing so has expired. *See* Local Rule 3.01(c), M.D. Fla (“A party may respond to a motion within fourteen days after service of the motion. . . . If a party fails to timely respond, the motion is subject to treatment as unopposed.”).

The Commissioner requests remand with entry of judgment to “offer [Ms. Bostick] an opportunity for a new hearing.” (Doc. 26, p. 1). Section 405(g) of the Social Security Act provides “[t]he Court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the [Commissioner], with or without remanding the cause for a rehearing.” *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

Accordingly, the Commissioner's motion for entry of judgment with remand (Doc. 26) is **GRANTED**. The Clerk of Court is **DIRECTED** to enter judgment in favor of the plaintiff and close the file.

**ENTERED** in Tampa, Florida on May 20, 2024.

A handwritten signature in black ink that reads "Amanda Arnold Sansone". The signature is written in a cursive style with a horizontal line underneath it.

AMANDA ARNOLD SANSONE  
United States Magistrate Judge