

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

TRACY A. SONOGA,

Plaintiff,

v.

Case No. 8:23-cv-02257-KKM-SPF

MARTIN O'MALLEY,
Commissioner of Social Security,

Defendant.

ORDER

Tracy A. Sonoga seeks to appeal the unfavorable decision of a Social Security administrative law judge on remand from an earlier successful appeal. *See Sonoga v. Kijakazi (Sonoga I)*, No. 8:21-cv-549-AEP (M.D. Fla. Dec. 17, 2021) (Porcelli, M.J.) (Doc. 12) (reversing the Commissioner's decision and remanding for further administrative proceedings); *Sonoga v. O'Malley (Sonoga II)*, No. 8:23-cv-2257 (M.D. Fla. Oct. 5, 2023) (Doc. 1) (appealing the new decision after remand). The Commissioner moves to reverse and remand for further consideration and administrative action under sentence four of 42 U.S.C. § 405(g). *See* (Doc. 24). Sonoga does not oppose. *Id.* at 1.

The Magistrate Judge issued a Report and Recommendation, recommending that I grant the Commissioner's motion. *See* R&R (Doc. 25). Given that the motion is

unopposed, and after considering the record, the Court adopts the Report and Recommendation and grants the motion.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify a magistrate judge's Report and Recommendation. 28 U.S.C. § 636(b)(1). If a party files a timely and specific objection to a finding of fact by a magistrate judge, the district court must conduct a de novo review with respect to that factual issue. *Stokes v. Singletary*, 952 F.2d 1567, 1576 (11th Cir. 1992). The district court 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); *Ashworth v. Glades Cnty. Bd. of Cnty. Comm'rs*, 379 F. Supp. 3d 1244, 1246 (M.D. Fla. 2019).

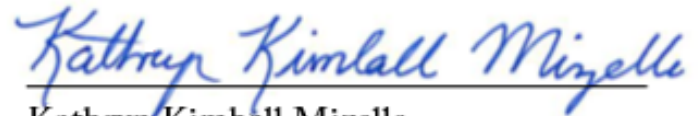
In the light of the Parties' agreement as to the requested relief, the Court adopts the Report and Recommendation in full.

Accordingly, it is **ORDERED**:

1. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 24) is **GRANTED**.
2. The Commissioner decision is **REVERSED** and the case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

3. The Clerk is directed to enter judgment for Plaintiff, and to **CLOSE** this case.

ORDERED in Tampa, Florida, on June 6, 2024.



Kathryn Kimball Mizelle
United States District Judge