

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

ADDISON MARK JASON RICE, SR.,

Plaintiff,

v.

Case No: 8:23-cv-2639-CEH-NHA

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____ /

ORDER

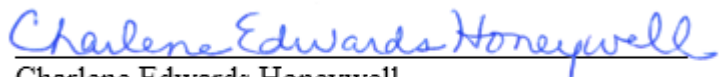
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Natalie Hirt Adams on November 20, 2024 (Doc. 22). In the Report and Recommendation, Magistrate Judge Adams recommends that the matter be remanded for further findings by the ALJ. Specifically, that the ALJ be given the opportunity to consider whether Plaintiff's migraine condition was medically equivalent to Listing 11.02, and to explain whether the ALJ considered, and on what basis he omitted from the RFC assessment, Plaintiff's alleged light sensitivity. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, the Report and Recommendation is adopted, confirmed, and approved in all respects. Accordingly, it is now,

ORDERED AND ADJUDGED that:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 22) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Plaintiff's request to remand this case to the Commissioner with instructions (Doc. 18) is GRANTED to the extent that the case is remanded to the Social Security Administration to allow the ALJ to make explicit his findings as to:
 - (a) Whether Plaintiff's migraine condition is medically as severe as Listing 11.02; and
 - (b) Whether Plaintiff requires a limitation to accommodate his reported photophobia.
- (3) The Clerk is directed to enter judgment in the Plaintiff's favor, terminate any pending motions, and close the case.

DONE and ORDERED at Tampa, Florida, on December 5, 2024.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
U.S. Magistrate Judge Natalie Hirt Adams