

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

SYLVESTER BERRY,

Plaintiff,

v.

CASE No.: 8:23-cv-2696-SPF

COMMISSIONER OF SOCIAL  
SECURITY,

\_\_\_\_\_/

**ORDER**

Before the Court is Plaintiff's Motion for Entry of Order Dismissing Petition (Doc. 15) with prejudice. Plaintiff advises the Court that the action is now moot because the Commissioner resolved Plaintiff's overpayment and dismissed the appeal. Plaintiff further represents that the Commissioner consents to the motion.

Accordingly, it is hereby ORDERED:

- (1) Plaintiff's Motion for Entry of Order Dismissing Petition (Doc. 15) is GRANTED;
- (2) The Complaint (1) is DISMISSED WITH PREJUDICE; and
- (3) The Clerk is directed to close this case.

ORDERED at Tampa, Florida on January 29, 2024.

  
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SEAN P. FLYNN  
UNITED STATES MAGISTRATE JUDGE