

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CONNIE LATIMER,

Plaintiff,

v.

Case No. 8:24-cv-379-WFJ-AEP

MARTIN O'MALLEY

Defendant.

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REPORT AND RECOMMENDATION

This cause comes before the Court upon Defendant's Unopposed Motion to Remand to the Commissioner of Social Security (Doc. 28). The Commissioner contends that remand is appropriate under sentence four of 42 U.S.C. § 405(g) so the ALJ may offer the claimant an opportunity for a supplemental hearing and issue a new decision (Doc. 28, at 1). Plaintiff does not object to the relief requested (Doc. 28, at 1).


Accordingly, for the reasons stated in the Commissioner's Motion, it is hereby RECOMMENDED:

1. Defendant's Unopposed Motion to Remand (Doc. 28) be GRANTED.

2. The Clerk be directed to enter judgment for Plaintiff with instructions that the Commissioner's decision is REVERSED under sentence four of 42 U.S.C. § 405(g) and the case is REMANDED for further administrative proceedings consistent with the reasons stated in the Commissioner's Motion.

3. The Clerk be directed to close the case.

IT IS SO REPORTED in Tampa, Florida, this 8th day of August, 2024.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record

NOTICE TO PARTIES

A party has fourteen days from the date they are served a copy of this report to file written objections to this report's proposed findings and recommendations or to seek an extension of the fourteen-day deadline to file written objections. 28 U.S.C. § 636(b)(1)(C). A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1; 28 U.S.C. § 636(b)(1). **Should the parties wish to expedite the resolution of this matter, they may promptly file a joint notice of no objection.**

cc: Hon. William F. Jung
Counsel of Record