

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

JAMES FRANCIS BRIGLIN,

Plaintiff,

v.

Case No: 8:24-cv-1903-JLB-AEP

CAROLYN COLVIN,<sup>1</sup>  
Acting Commissioner of Social  
Security Administration,

Defendant.

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**ORDER**

The Magistrate Judge has entered a Report and Recommendation, recommending that Defendant's Unopposed Motion for Entry of Judgment with Remand under sentence four of 42 U.S.C. § 405(g) (Doc. 13) be granted. (Doc. 14). No party has objected, and the time to do so has expired.

A district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). The district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.*

Here, after an independent review of the entire record and noting that no objection has been filed, the Court finds that the thorough and well-reasoned Report and Recommendation is due to be adopted.


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<sup>1</sup> Carolyn Colvin is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Acting Commissioner Colvin should be substituted for Commissioner O'Malley as the defendant in this matter.

Accordingly, it is **ORDERED**:

- (1) The Report and Recommendation (Doc. 14) is **ADOPTED** and made a part of this Order for all purposes.
- (2) Defendant's Unopposed Motion for Entry of Judgment with Remand (Doc. 13) is **GRANTED**.
- (3) The decision of the Commissioner is **REVERSED** and this case is **REMANDED** under sentence four of 42 U.S.C. § 405(g).
- (4) Plaintiff is instructed that any application for fees, costs, or expenses must comply with Local Rule 7.01.
- (5) The Clerk of Court is **DIRECTED** to enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

**ORDERED** in Tampa, Florida, on January 9, 2025.

  
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**JOHN L. BADALAMENTI**  
UNITED STATES DISTRICT JUDGE