

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

JASON WAYNE MCDIVITT,

Plaintiff,

v.

CASE NO. 3:20cv3773-MCR-MJF

ANDREW M. SAUL,

Defendant.

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ORDER

The magistrate judge issued a Report and Recommendation on February 8, 2021. ECF No. 21. The parties were furnished a copy of the Report and Recommendation and afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of all timely filed objections.

Having considered the Report and Recommendation, and any timely filed objections thereto, I have determined the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation (ECF No. 21) is adopted and incorporated by reference in this Order.
2. Defendant's Motion to Remand (ECF No. 19) is **GRANTED** and the Commissioner's decision denying benefits is **REVERSED**.
3. This case is **REMANDED** to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. §405(g).
4. Defendant is ordered to conduct proceedings in accordance with this report and recommendation.
5. The Clerk is directed to enter final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.
6. The Clerk is directed to administratively close the file.

DONE AND ORDERED this 15th day of March 2021.

s/ *M. Casey Rodgers*
M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE