

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

**TEAMCARE INFUSION ORLANDO,
INC.,**

Plaintiff,

v.

Case No: 6:10-cv-1752-Orl-22GJK

**SECRETARY, UNITED STATES
DEPARTMENT OF HEALTH AND
HUMAN SERVICES,**

Defendant.

ORDER

This cause is before the Court on an appeal from a final decision of the Secretary of the Department of Health and Human Services (Doc. No. 1) filed on November 24, 2010.

The United States Magistrate Judge has submitted a report recommending that the Secretary's decision be reversed and the matter remanded for further proceedings pursuant to sentence four of Section 405(g), 42 U.S.C.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.


Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed August 1, 2012 (Doc. No. 39), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The decision of the Secretary of the Department of Health and Human Services is hereby **REVERSED** and this matter **REMANDED** for further proceedings pursuant to sentence four of Section 405(g), 42 U.S.C. The Clerk is directed to enter judgment, accordingly.

3. Within fourteen days of the date of the Judgment Plaintiff may file a motion for attorneys' fees and costs.

4. The Clerk is directed to CLOSE the file.

DONE and **ORDERED** in Orlando, Florida on August 16, 2012.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record