



1 record related to Plaintiff's physical impairments and failed to properly "incorporate Plaintiff's  
2 limitation to occasional reaching in all direction with the right upper extremity" in the residual  
3 functional capacity. (*Id.* at 13, emphasis omitted.) Therefore, the magistrate judge recommended  
4 Plaintiff's motion for summary judgment be granted, the matter be remanded for further  
5 administrative proceedings, and that judgment be entered in favor of Plaintiff. (*Id.* at 14.)

6 The Court served the Findings and Recommendations and notified the parties that any  
7 objections were due within 14 days. (Doc. 18 at 14.) The Court advised the parties that the  
8 "failure to file objections within the specified time may result in the waiver of rights on appeal."  
9 (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) Neither party filed  
10 objections, and the time to do so has passed.

11 According to 28 U.S.C. § 636 (b)(1)(c), this Court performed a *de novo* review of the  
12 case. Having carefully reviewed the matter, the Court concludes the Findings and  
13 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 14 1. The Findings and Recommendations issued on February 28, 2024 (Doc. 18) are  
15 **ADOPTED** in full.
- 16 2. Plaintiff's motion for summary judgment (Doc. 15) is **GRANTED**.
- 17 3. Defendant's request to affirm the decision (Doc. 16) is **DENIED**.
- 18 4. The matter is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for  
19 further proceedings.
- 20 5. The Clerk of Court is directed to enter judgment in favor of Plaintiff Desira Vega,  
21 and against Defendant Martin O'Malley, Commissioner of Social Security, and to  
22 close this case.

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24 IT IS SO ORDERED.

25 Dated: March 26, 2024

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UNITED STATES DISTRICT JUDGE