

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELVIA H. ALCANTAR,

Plaintiff,

No. CIV-S-10-2638 GEB GGH

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

ORDER

Defendant.

_____ /

On December 7, 2011, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

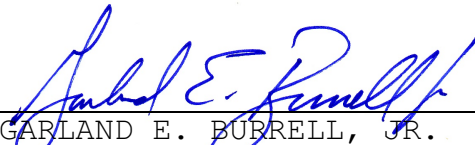
\\\\\\

\\\\\\

1 Accordingly, IT IS ORDERED that the Findings and Recommendations filed
2 December 7, 2011 (dkt. no. 18), are ADOPTED and

- 3 1. Plaintiff's motion for summary judgment (dkt. no. 14) is granted in part;
4 2. Defendant's cross-motion for summary judgment (dkt. no. 15) is denied;
5 3. The case is remanded for further proceedings under sentence four of 42 U.S.C.
6 § 405(g); and
7 4. Judgment is entered for plaintiff.

8 Dated: January 3, 2012

9
10 
11 _____
12 GARLAND E. BURRELL, JR.
13 United States District Judge
14
15
16
17
18
19
20
21
22
23
24
25
26