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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS T. BAY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:17-cv-01034-TLN-KJN

ORDER

On August 22, 2018, the magistrate judge filed findings and recommendations (ECF No. 24), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.

Accordingly, the Court presumes that 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).

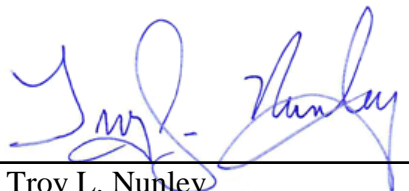
The Court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations (ECF No. 24) are ADOPTED.
2. Plaintiff's motion for summary judgment (ECF No. 13) is GRANTED.
3. The Commissioner's cross-motion for summary judgment (ECF No. 22) is DENIED
4. The action is remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
5. Judgment is entered for Plaintiff.

IT IS SO ORDERED.

Dated: September 14, 2018



Troy L. Nunley
United States District Judge