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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

CHRISTINA LEE CASTLE,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 13-CV-270-LAB-BGS

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Castle challenges the denial of her claim for disability benefits under the Social Security Act. The challenge was referred to Magistrate Judge Skomal for a Report and Recommendation pursuant to 28 U.S.C. § 636, after which Castle and the Commissioner filed cross-motions for summary judgment. On May 20, 2014, Judge Skomal issued his R&R, finding that Castle's summary judgment motion should be denied and the Commissioner's summary judgment motion should be granted.

The Court reviews an R&R on dispositive motions pursuant to Fed. R. Civ. P. 72(b): "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions."


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1 Here, however, Castle filed no objection to the R&R, and that carries heavy
2 consequences. Under both the Standing Order of the undersigned Judge and the Local
3 Rules of the Court, the failure to file an objection to a motion may be construed as consent
4 to the motion being granted—and the Court extends this to the failure to file an objection to
5 an R&R. See Standing Order 4(b); Local Rule 7.1(f)(3)(c).

6 In any event, the Court has reviewed Judge Skomal’s thorough R&R and finds it is
7 correct. It is **ADOPTED**. Castle’s motion for summary judgment is therefore **DENIED**, and
8 the Defendant’s motion for summary judgment is **GRANTED**.

9
10 **IT IS SO ORDERED.**

11 DATED: August 11, 2014

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13 **HONORABLE LARRY ALAN BURNS**
14 United States District Judge

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