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

HELMUTS SKUJA,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 13-cv-730-BAS(KSC)

ORDER:

(1) ADOPTING IN REPORT AND RECOMMENDATION ITS ENTIRETY;

(2) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; AND

(3) GRANTING DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

[ECF Nos. 21, 16, 17]

On March 27, 2013, Plaintiff Helmut Skuja filed a complaint under Section 405(g) of the Social Security Act, requesting judicial review of Commissioner of the Social Security Administration's final decision denying his claim for disability benefits. Thereafter, the Court referred this matter to United States Magistrate Judge Karen S. Crawford, who issued a Report and Recommendation ("R&R") on July 24, 2014, recommending that this Court: (1) deny Plaintiff's motion for summary

1 judgment; and (2) grant Defendant Carolyn W. Colvin’s cross-motion for summary
2 judgment. The time for filing objections to the R&R expired on August 8, 2014.
3 (R&R 18:27–19:5.) Both parties are represented by counsel, but to date, neither party
4 has filed any objections.

5
6 **I. ANALYSIS**

7 The Court reviews *de novo* those portions of the R&R to which objections are
8 made. 28 U.S.C. § 636(b)(1). The Court may “accept, reject, or modify, in whole or
9 in part, the findings or recommendations made by the magistrate judge.” *Id.* But “[t]he
10 statute makes it clear that the district judge must review the magistrate judge’s findings
11 and recommendations *de novo if objection is made*, but not otherwise.” *United States*
12 *v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original);
13 *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (concluding
14 that where no objections were filed, the district court had no obligation to review the
15 magistrate judge’s report). “Neither the Constitution nor the statute requires a district
16 judge to review, *de novo*, findings and recommendations that the parties themselves
17 accept as correct.” *Reyna-Tapia*, 328 F.3d at 1121. This rule of law is well-established
18 within the Ninth Circuit and this district. *See Wang v. Masaitis*, 416 F.3d 992, 1000
19 n.13 (9th Cir. 2005) (“Of course, *de novo* review of a R & R is only required when an
20 objection is made to the R & R.”); *Nelson v. Giurbino*, 395 F. Supp. 2d 946, 949 (S.D.
21 Cal. 2005) (Lorenz, J.) (adopting report in its entirety without review because neither
22 party filed objections to the report despite the opportunity to do so); *see also Nichols*
23 *v. Logan*, 355 F. Supp. 2d 1155, 1157 (S.D. Cal. 2004) (Benitez, J.).

24 In this case, the deadline for filing objections was on August 8, 2014, which is
25 fourteen days after Judge Crawford issued the R&R. However, no objections have
26 been filed, and neither party has requested additional time to do so. Consequently, the
27 Court may adopt the R&R on that basis alone. *See Reyna-Tapia*, 328 F.3d at 1121.
28 Nonetheless, having conducted a *de novo* review of the parties’ cross-motions for


1 summary judgment and the R&R, the Court concludes that Judge Crawford's reasoning
2 is sound and accurate in concluding that the administrative law judge's denial of
3 Plaintiff's benefits was supported by substantial evidence and free of legal error.
4 Therefore, the Court hereby approves and **ADOPTS IN ITS ENTIRETY** the R&R.
5 *See* 28 U.S.C. § 636(b)(1).

6
7 **II. CONCLUSION & ORDER**

8 Having reviewed the R&R and there being no objections, the Court **ADOPTS**
9 **IN ITS ENTIRETY** the R&R (ECF No. 21), **DENIES** Plaintiff's motion for summary
10 judgment (ECF No. 16), and **GRANTS** Defendant's cross-motion for summary
11 judgment (ECF No. 17).

12 **IT IS SO ORDERED.**

13 **DATED: August 14, 2014**

14 
15 **Hon. Cynthia Bashant**
16 **United States District Judge**