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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JO ANN STEELE,  
  
Plaintiff,  
  
v.  
  
NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
  
Defendant.

Case No.: 17cv1923-LAB (RNB)

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Plaintiff Jo Ann Steele filed her complaint, seeking review of denial of social security disability benefits. This matter was referred to Magistrate Judge Robert N. Block for report and recommendation. After receiving briefing, on June 5, Judge Block issued his report and recommendation (the "R&R"). It found that the administrative law judge properly denied benefits, and recommended affirming that judge's decision and dismissing the action with prejudice.

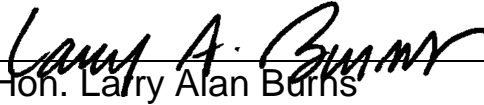
The deadline for objecting to the R&R has passed, and no objections were filed. A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." *Id.* "A judge of the court may accept, reject, or modify,

1 in whole or in part, the findings or recommendations made by the magistrate  
2 judge.” 28 U.S.C. § 636(b)(1). This section does not require some lesser review by  
3 the district court when no objections are filed. *Thomas v. Arn*, 474 U.S. 140, 149–  
4 50 (1985). The “statute makes it clear that the district judge must review the  
5 magistrate judge's findings and recommendations de novo *if objection is made*,  
6 but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.  
7 2003) (en banc) (emphasis in original).

8 The Court has reviewed the R&R, finds it to be correct, and **ADOPTS** it.  
9 Plaintiff’s motion for summary judgment is **DENIED** and Defendant’s cross-motion  
10 is **GRANTED**. The administrative law judge’s decision is **AFFIRMED** and this  
11 action is **DISMISSED** with prejudice.

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13 **IT IS SO ORDERED.**

14 Dated: September 18, 2018

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17 Hon. Larry Alan Burns  
18 United States District Judge  
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