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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SAM MIZRAHI,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY)
ADMINISTRATION,
Defendant.

Case No. 2:12-CV-00285-KJD-GWF
ORDER

Before the Court for consideration is the Report & Recommendation (#21) of Magistrate Judge George Foley, Jr., recommending that Plaintiff’s Motion for Summary Judgment (#17) be denied and recommending that Defendant’s Cross-Motion to Affirm (#19) be granted. No objection to the Report and Recommendation has been filed.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. Based on its review, the Court agrees with Judge Foley’s determination that the Administrative Law Judge’s determination in this case was supported by substantial evidence, and that the Administrative Law Judge did not err as a matter of law in concluding that Plaintiff is not disabled.

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IT IS HEREBY ORDERED THAT the Report & Recommendation (#21) of United States Magistrate Judge Foley, should be **ADOPTED and AFFIRMED.**

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (#17) is **DENIED.**

IT IS FURTHER ORDERED that Defendant's Cross-Motion to Affirm (#19) is **GRANTED.**

DATED this 4th day of February 2013.



Kent J. Dawson
United States District Judge