UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

ROBERT R. LAUNTZ,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Case No. 2:12-cv-01874-APG-VCF

ORDER ACCEPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

On November 1, 2012, Plaintiff Robert Launtz filed his Complaint commencing this action. Pursuant to Magistrate Judge Ferenbach's Order Concerning Review of Social Security Cases [Dkt. #14], Mr. Launtz filed his Motion for Reversal or Remand [Dkt. #15] on February 1, 2013. On April 5, 213, Defendant Michael J. Astrue filed his Opposition to Plaintiff's Motion for Reversal [Dkt. #19] and, in the alternative, a Cross Motion for Summary Judgment [Dkt. #20]. After briefing by the parties, on August 14, 2013, Magistrate Judge Ferenbach entered his Report and Recommendation [Dkt. #25] recommending that Mr. Launtz's Motion to Remand be DENIED and the defendant's Cross Motion for Summary Judgment be GRANTED.

As set forth in Magistrate Judge Ferenbach's Report and Recommendation, pursuant to Local Rule IB 3-2, any objection to the Report and Recommendation was due within fourteen days. No objection has been filed to that Report and Recommendation. Thus, the Court is not obligated to conduct a de novo review of the Report and Recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to

which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)). Nevertheless, this Court has conducted a de novo review of the issues set forth in the Report and Recommendation. Magistrate Judge Ferenbach's Report and Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation is accepted, Mr. Launtz's Motion to Remand is **DENIED**, and the defendant's Cross Motion for Summary Judgment is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of the Court enter judgment accordingly.

Dated: October 7, 2013.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE