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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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LORI SOETE,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

Case No. 2:13-cv-0439-APG-NJK

**Order Accepting Report and  
Recommendation and Dismissing Case**

(Dkt. ## 21, 29, 43)

10 On May 6, 2015, Magistrate Judge Koppe entered her Report and Recommendation (Dkt.  
11 #43) recommending that Plaintiff's Motion for Reversal and/or Remand (Dkt. #21) be denied and  
12 that Defendant's Cross-Motion to Affirm (Dkt. ##29) be granted. Pursuant to Local Rule IB 3-2,  
13 any objection to Judge Koppe's Report and Recommendation had to be filed in writing with the  
14 Clerk of the Court within fourteen (14) days. No objection was filed. The Supreme Court of the  
15 United States has held that courts may determine that an appeal has been waived due to the failure  
16 to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit  
17 has also held that failure to file objections within the specified time, and failure to properly address  
18 and brief the objectionable issues, waives the right to appeal the district court's order and to appeal  
19 factual issues from the order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi*  
20 *Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

21 There being no objection to Judge Koppe's Report and Recommendation,

22 IT IS HEREBY ORDERED that Judge Koppe's Report and Recommendation (**Dkt. #43**)  
23 **is accepted**, Plaintiff's Motion for Reversal and/or Remand (**Dkt. #21**) **is DENIED**, Defendant's  
24 Cross-Motion to Affirm (**Dkt. 29**) **is GRANTED**, the Administrative Law Judge's decision is  
25 affirmed, and this case is **DISMISSED**. The clerk of the court shall enter Judgment accordingly.

26 Dated: September 16, 2015.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE