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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CARLOS M. MCDANIEL,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 2:14-cv-00994-APG-CWH

**ORDER ACCEPTING REPORT AND
RECOMMENDATION**

(DKT. #19, #22, #24)

On September 17, 2015, Magistrate Judge Hoffman issued a Report and Recommendation (Dkt. #24) recommending I find the administrative law judge (“ALJ”) properly considered the evidence and provided “legally sufficient reasons for rejecting Plaintiff’s testimony as not credible in determining Plaintiff’s [residual functional capacity] and in rendering a final decision in Plaintiff’s case.” (*Id.* at 9.) Judge Hoffman thus recommends that I deny plaintiff Carlos McDaniel’s motion to reverse or remand and grant the defendant’s cross-motion to affirm. (*Id.*) McDaniel did not object to Judge Hoffman’s Report and Recommendation. Nevertheless, I have reviewed the administrative record de novo, and I accept Judge Hoffman’s recommendations.

IT IS THEREFORE ORDERED that the Report and Recommendation (**Dkt. #24**) is **ACCEPTED**.

IT IS FURTHER ORDERED that plaintiff Carlos McDaniel’s motion to reverse or remand (**Dkt. #19**) is **DENIED**.

IT IS FURTHER ORDERED that defendant Carolyn W. Colvin’s cross-motion to affirm (**Dkt. #22**) is **GRANTED**.

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IT IS FURTHER ORDERED that the clerk of court shall enter judgment in favor of defendant Carolyn W. Colvin and against plaintiff Carlos McDaniel.

DATED this 17th day of November, 2015.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE