UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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| LENA J. DANIEL,<br><br>Plaintiff(s),<br><br>v.<br><br>NANCY A. BERRYHILL,<br><br>Defendant(s). | Case No. 2:14-CV-1728 JCM (PAL)<br><br>ORDER |

Presently before the court is Magistrate Judge Leen's report and recommendation ("R&R"), regarding plaintiff Lena J. Daniel's ("plaintiff") motion to remand to the Social Security Administration (ECF No. 17) and defendant Carolyn W. Colvin's (the "commissioner") crossmotion to affirm (ECF No. 18). (ECF No. 26). No objections have been filed, and the deadline for filing objections has since passed.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." Thomas v. Arn, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. See United States v. Reyna-Tapia, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review

employed by the district court when reviewing a report and recommendation to which no objections were made).

Nevertheless, this court finds it appropriate to engage in a de novo review to determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation and underlying briefs, the court finds that good cause appears to ADOPT the magistrate judge's findings.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Leen's report and recommendation (ECF No. 26) be, and the same hereby is, ADOPTED in its entirety.

IT IS FURTHER ORDERED that plaintiff's motion to remand (ECF No. 17) be, and the same hereby is, DENIED.

IT IS FURTHER ORDERED that the commissioner's crossmotion to affirm (ECF No. 18) be, and the same hereby is, GRANTED.

The clerk shall enter judgment accordingly and close the case.

DATED July 5, 2017.

James C. Mahan

UNITED STATES DISTRICT JUDGE