

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TAMMY A. GILL,

Plaintiff(s),

v.

CAROLYN M. COLVIN,

Defendant(s).

Case No. 2:15-CV-553 JCM (CWH)

ORDER

Presently before the court is Magistrate Judge Hoffman’s report and recommendation (ECF No. 26) that this court deny plaintiff’s motion for reversal or remand (ECF No. 15) and grant the social security commissioner’s cross-motion to affirm. (ECF No. 23). No timely objections were filed by the parties.

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). If a party fails to object to a magistrate judge’s report and recommendation, 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); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit’s decision in *Reyna–Tapia* as adopting the view that district courts are not required to review “any issue that is not the subject of an objection.”).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Therefore, this court will adopt the magistrate judge's report and recommendation.

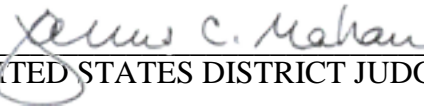
Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the report and recommendation of Magistrate Judge Hoffman (ECF No. 26) be, and the same hereby are, ADOPTED in their entirety.

IT IS FURTHER ORDERED that plaintiff's motion for reversal or remand (ECF No. 15) be, and the same hereby is DENIED.

IT IS FURTHER ORDERED that the commissioner's cross-motion to affirm (ECF No. 23) be, and the same hereby is, GRANTED.

DATED May 22, 2017.


UNITED STATES DISTRICT JUDGE