UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DELORIS A. GIBSON,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting Commissioner of Social Security,

Defendant.

Case No.: 2:16-cv-01885-GMN-BNW

ORDER

Pending before the Court is the Report and Recommendation ("R&R") of United States Magistrate Judge Brenda Weksler, (ECF No. 31), which recommends that Plaintiff Deloris Gibson's Motion to Remand, (ECF No. 25), be granted. The R&R further recommends that Defendant Commissioner Nancy Berryhill's Cross-Motion to Affirm the Agency Decision, (ECF No. 26), be denied.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. Id. The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). 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, e.g., United States v. Reyna–Tapia, 328 F.3d 1114,

1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, August 15, 2019, has passed. (Min. Order, ECF No. 31).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 31), is **ACCEPTED AND ADOPTED in full**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand, (ECF No. 25), is **GRANTED**.

IT IS FURTHER ORDERED that Defendant's Cross-Motion to Affirm the Agency Decision, (ECF No. 26), is **DENIED**.

IT IS FURTHER ORDERED that this case is **REMANDED** to the Social Security Administration.

The Clerk is instructed to close the case.

DATED this 10 day of September, 2019.

Gloria M. Navarro, District Judge
United States District Court