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v.

NANCY A. BERRYHILL,

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James C. Mahan U.S. District Judge

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

* * *

LISA MARIE TRILLO-CORONA,

Plaintiff(s),

ORDER

Case No. 2:17-CV-129 JCM (CWH)

Defendant(s).

Presently before the court is Magistrate Judge Carl W. Hoffman's report and recommendation ("R&R") in the matter of Trillo v. Colvin, case number 2:17-cv-00129-JCM-CWH. No objections have been filed, and the deadline for doing so has passed.

Magistrate Judge Hoffman notes in his report and recommendation that the administrative law judge ("ALJ") correctly held that plaintiff was not disabled for disability insurance benefits purposes because there are jobs that plaintiff is able to perform. (ECF No. 20). The magistrate judge also notes that the ALJ incorrectly identified some of those jobs. Id. Nevertheless, because the misidentification was a harmless error, the magistrate judge recommends denying plaintiff Lisa Marie Trillo's motion to remand and granting the social security commissioner's motion to affirm the agency decision. Id.

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).

1	Where a party fails to object, however, the court is not required to conduct "any review at
2	all of any issue that is not the subject of an objection." Thomas v. Arn, 474 U.S. 140, 149
3	(1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
4	magistrate judge's report and recommendation where no objections have been filed. See United
5	States v. Reyna-Tapia, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
6	employed by the district court when reviewing a report and recommendation to which no
7	objections were made).
8	Nevertheless, this court conducted a de novo review to determine whether to adopt the
9	recommendation of the magistrate judge. Upon reviewing the recommendation and underlying
10	briefs, this court finds good cause appears to adopt the magistrate judge's findings in full.
11	Accordingly,
12	IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Magistrate Judge
13	Hoffman's report and recommendation (ECF No. 20) be, and the same hereby is, ADOPTED in
14	its entirety.
15	IT IS FURTHER ORDERED that Trillo's motion to remand (ECF No. 17) be, and the
16	same hereby is, DENIED.
17	IT IS FURTHER ORDERED that the social security commissioner's motion to affirm the
18	agency decision (ECF No. 18) be, and the same hereby is, GRANTED.
19	The clerk shall enter judgment accordingly and close the case.
20	DATED June 25, 2019.
21	Xellus C. Mahan
22	UNITED STATES DISTRICT JUDGE
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