

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

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOHN H. CHAPLIN,

Plaintiff

v.

NANCY A. BERRYHILL,

Defendant

Case No.: 2:17-cv-01686-APG-NJK

**Order Accepting Report and  
Recommendation, Denying Motion for  
Remand, and Granting Motion to Affirm**

[ECF Nos. 24, 27, 30]

On May 22, 2018, Magistrate Judge Koppe issued a report and recommendation that I deny plaintiff John Chaplin's motion for reversal or remand and grant defendant Nancy Berryhill's motion to affirm. Chaplin did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Koppe's report and recommendation (ECF No. 30) is accepted. Plaintiff John Chaplin's motion for reversal and/or remand (ECF No. 24) is DENIED and defendant Nancy Berryhill's motion to affirm (ECF No. 27) is GRANTED.

IT IS FURTHER ORDERED that the clerk of court shall enter judgment in favor of defendant Nancy Berryhill and against plaintiff John Chaplin.

DATED this 3rd day of July, 2018.

  
\_\_\_\_\_  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE