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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

NAIM R. COSTANDI,

Plaintiff,

v.

NANCY A. BERRYHILL, Commissioner of  
Social Security,

Defendant.

Case No. 2:17-cv-02019-DJA

**ORDER**

On October 31, 2019, the undersigned issued a report and recommendation. The Court recommended denying Plaintiff Naim R. Costandi's ("Plaintiff") Motion for Reversal or to Remand (ECF No. 20) and granting the Commissioner's Response and Cross-Motion to Affirm (ECF No. 21). The time to object has expired, the parties have filed no objections, and the parties have consented to the undersigned proceeding with this matter. (ECF No. 26).

The court accepts and adopts the report and recommendation. The Court therefore finds that the ALJ properly gave "clear and convincing" reasons supported by substantial evidence for affording less weight to the opinion of consultative examiner Dr. Cabaluna. The ALJ's decision is supported by substantial evidence and free from reversible legal error. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Remand (ECF No. 20) be **denied**.

IT IS FURTHER ORDERED that the Commissioner's Cross-Motion to Affirm (ECF No. 21) be **granted**.

DATED: January 21, 2020.



DANIEL J. ALBRECHTS  
UNITED STATES MAGISTRATE JUDGE