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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICKIE L. BURDO,

Plaintiff

v.

NANCY A. BERRYHILL,

Defendant

Case No.: 2:17-cv-02203-APG-VCF

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

[ECF Nos. 14, 17, 20]

On December 13, 2018, Magistrate Judge Ferenbach recommended that I deny plaintiff Rickie Burdo's motion for reversal or remand and grant the defendant's motion to affirm. ECF No. 20. Burdo 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 Magistrate Judge Ferenbach's report and recommendation **(ECF No. 20) is accepted**, plaintiff Rickie Burdo's motion for reversal or remand **(ECF No. 14) is DENIED**, and defendant's motion to affirm **(ECF No. 17) is GRANTED**. The clerk of court is instructed to enter judgment in favor of the defendant and against the plaintiff.

DATED this 3rd day of January, 2019.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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