UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KAREN L. HEYE-RYBERG,

Plaintiff

3

5

7

NANCY A. BERRYHILL,

Defendant

Case No.: 2:17-cv-02510-APG-VCF

Order Accepting Report and Recommendation

[ECF Nos. 22]

On October 23, 2018, Magistrate Judge Ferenbach recommended I deny plaintiff Karen Heye-Ryberg's motion for summary judgment and grant the defendant's motion to affirm. ECF 10 No. 22. Heye-Ryberg did not file an objection. Thus, I am not obligated to conduct a de novo 111 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to 12 "make a de novo determination of those portions of the report or specified proposed findings to 13 which objection is made"); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) 14 (en banc) ("the district judge must review the magistrate judge's findings and recommendations 15 de novo if objection is made, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation 17 (ECF No. 22) is accepted, plaintiff Karen Heye-Ryberg's motion for summary judgment (ECF 18 No. 19) is DENIED, and defendant Nancy Berryhill's motion to affirm (ECF No. 20) is 19 GRANTED. The clerk of court is instructed to enter judgment in favor of the defendant and 20 against the plaintiff.

DATED this 9th day of November, 2018.

ANDREW P. GORDON

UNITED STATES DISTRICT JUDGE

21

16