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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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THOMAS LESTER FURY, JR.,  
  
Plaintiff,  
  
v.  
  
NANCY A. BERRYHILL, Acting  
Commissioner of Social Security  
Administration,  
  
Defendant.

Case No. 3:17-cv-00229-LRH-(WGC)  
ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge William G. Cobb (ECF No. 19) entered on January 23, 2018, recommending granting in part plaintiff’s Motion to Reverse and Remand Administrative Decision to Allow Award of Benefits (ECF No. 15) entered on August 18, 2017, and denying defendant’s Cross-Motion to Affirm and Response to Plaintiff’s Motion to Reverse and Remand (ECF No. 16) entered on September 18, 2017. On February 6, 2018, defendant filed its objections (ECF No. 20) and on February 20, 2018, plaintiff filed his response to objections (ECF No. 21).

The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

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1 The Court has conducted its *de novo* review in this case, has fully considered  
2 defendant's objections, the response of plaintiff, and the pleadings and memoranda of  
3 the parties and other relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B)  
4 and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and  
5 Recommendation (ECF No. 19) entered on January 23, 2018, should be adopted and  
6 accepted.

7 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and  
8 Recommendation (ECF No. 19) entered on January 23, 2018, is adopted and accepted,  
9 and plaintiff's Motion to Reverse and Remand Administrative Decision to Allow Award of  
10 Benefits (ECF No. 15) is **GRANTED in part; it is granted regarding remand only.**

11 IT IS FURTHER ORDERED that defendant's Cross Motion to Affirm and  
12 Response to Plaintiff's Motion to Reverse and Remand (ECF No. 16) is **DENIED.**

13 IT IS FURTHER ORDERED that this matter is REMANDED for further  
14 proceedings in accordance with the Report and Recommendation (ECF No. 19).

15 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment in  
16 this matter.

17 IT IS SO ORDERED.

18 DATED this 14th day of March, 2018.

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21 LARRY R. HICKS  
22 UNITED STATES DISTRICT JUDGE  
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