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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

11 DANIEL J. LUTTER, ) 3:17-cv-00260-HDM-VPC  
12 Plaintiff, )  
13 vs. ) ORDER  
14 NANCY A. BERRYHILL, Acting )  
Commissioner of Social Security, )  
15 Defendant. )  
16 )

17 Plaintiff has filed a motion for reversal and/or remand of the  
18 defendant's denial of his claim for social security disability  
19 benefits (ECF No. 16). The defendant has filed a cross-motion to  
20 affirm (ECF No. 21). On August 9, 2017, the magistrate judge  
21 issued her report and recommendation recommending that the court  
22 deny the plaintiff's motion and grant the defendant's cross-motion,  
23 and affirm the defendant's denial of plaintiff's claim. (ECF No.  
24 27). No objections to the report and recommendation have been  
25 filed, and the time for doing so has expired.

26 The court has considered the pleadings and memoranda of the  
27 parties and other relevant matters of record and has made a review  
28 and determination in accordance with the requirements of 28 U.S.C.

1 § 636 and applicable case law, and good cause appearing, the court  
2 hereby ADOPTS AND ACCEPTS the report and recommendation of the  
3 United States Magistrate Judge (ECF No. 27).

4 Accordingly, the plaintiff's motion for remand (ECF No. 16) is  
5 DENIED, and the defendant's cross-motion to affirm (ECF No. 21) is  
6 GRANTED. The clerk of the court is directed to enter judgment  
7 accordingly.

8 IT IS SO ORDERED.

9 DATED: This 18th day of September, 2017.

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11 UNITED STATES DISTRICT JUDGE  
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