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## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

3:17-cv-00559-HDM-WGC

Plaintiff, ) ORDER

NANCY A. BERRYHILL, Acting Commissioner of Social Security,

Defendant.

Plaintiff has filed a motion for reversal and/or remand of the defendant's denial of her claim for social security disability benefits (ECF No. 12). The defendant has filed a cross-motion to affirm (ECF No. 13). On April 11, 2018, the magistrate judge issued his report and recommendation recommending that the court grant the plaintiff's motion and deny the defendant's cross-motion, and reverse and remand the defendant's denial of plaintiff's claim. (ECF No. 16). No objections to the report and recommendation have been filed, and the time for doing so has expired.

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

§ 636 and applicable case law, and good cause appearing, the court hereby ADOPTS AND ACCEPTS the report and recommendation of the United States Magistrate Judge (ECF No. 16).

Accordingly, the plaintiff's motion to reverse and remand (ECF No.12) for further proceedings is GRANTED and this matter is remanded so the administrative law judge may question the vocational expert regarding plaintiff's ability to perform the jobs in light of her right upper extremity limitation. The defendant's cross-motion to affirm (ECF No. 13) is DENIED. The clerk of the court is directed to enter judgment accordingly.

Howard & Mikiller

UNITED STATES DISTRICT JUDGE

IT IS SO ORDERED.

DATED: This 9th day of May, 2018.