
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

MICHAEL DELGADO,
Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,
Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:15-cv-138-DB

District Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Dustin Pead on June 26, 2017, recommending that the district court affirm the decision of the Social Security Commissioner. (Dkt. No. 46.) The parties were notified of their right to file objections to the Report and Recommendation within 14 days of service pursuant to 28 U.S.C. § 636 and Fed. R. Civ. P. 72. As of the date of this Order, no objection has been filed to the Report and Recommendation.

On June 27, 2017, one day after the Report and Recommendation was issued, Plaintiff's mother submitted a document labeled "Opening Brief" addressed to Judge Pead, apparently on behalf of Plaintiff, including medical records and reiterating arguments made to the Commissioner and Judge Pead. This submission does not appear to comply with the rules for pro se filers, nor does it appear to be an Objection to Judge Pead's Report and Recommendation. However, even if construed as an Objection, the filing does not affect the correctness of Judge Pead's determination, as the arguments and records are not new and material.

De novo review of all materials, including the record that was before the magistrate judge and the reasoning set forth in the Report and Recommendation, has been completed. The analysis and conclusion of the magistrate judge are correct and the Report and Recommendation will be adopted.

IT IS HEREBY ORDERED that the Report and Recommendation is ADOPTED and the Commissioner's decision is AFFIRMED.

DATED this 25th day of July, 2017.

BY THE COURT:

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' and the last name "Benson" follows in a similar cursive script.

Dee Benson
United States District Judge