
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

LEE OTERO,

Plaintiff,

v.

NANCY A. BERRYHILL,¹

Commissioner,
Social Security Administration,

Defendant.

**MEMORANDUM DECISION AND
ORDER ADOPTING REPORT &
RECOMMENDATION**

Case No. 2:16-cv-00274-DN-PMW

District Judge David Nuffer

Magistrate Judge Paul M. Warner

Magistrate Judge Paul M. Warner's Report and Recommendation² under [28 U.S.C. § 636\(b\)\(1\)\(B\)](#) recommends affirming the Commissioner's decision denying Plaintiff Lee Otero's claim for social security disability benefits and supplemental security income.

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#). No party filed a written objection to the Report and Recommendation as provided by court rules. Therefore, the analysis and conclusion of the Magistrate Judge are accepted and the Report and Recommendation³ is adopted in its entirety. The Commissioner's decision is **AFFIRMED**.

¹ Nancy A. Berryhill is now the acting Commissioner of the Social Security Administration. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill has been substituted for Commissioner Carolyn W. Colvin as the defendant in this case. Notice from the Court, docket no. 25, filed Sept. 8, 2017.

² [Docket no. 26](#), filed September 28, 2017.

³ *Id.*

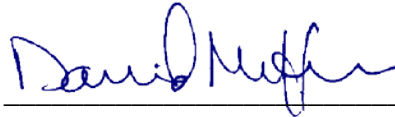
ORDER

IT IS HEREBY ORDERED that the Report and Recommendation⁴ is ADOPTED and the Commissioner's decision is AFFIRMED.

The Clerk is directed to close the case.

Signed September 28, 2017.

BY THE COURT



David Nuffer
United States District Judge

⁴ [Docket no. 26](#), filed September 28, 2017.