

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

**Regina Mae McCoy v. Commissioner of Social Security
Administration**

McCoy · No. CV-25-02060-PHX-SPL · Decided April 10, 2026

SUMMARY

The United States District Court for the District of Arizona adopted a magistrate judge’s Report and Recommendation because no party filed objections. The court reversed the Commissioner of Social Security’s decision and remanded for further proceedings, while dismissing without prejudice the plaintiff’s requests for Medicare reinstatement and removal of an overpayment.

OPINION

1 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF
ARIZONA 8 Regina Mae McCoy,) No. CV-25-02060-PHX-SPL) 9) 10 Plaintiff,) ORDER vs.)
) 11) Commissioner of Social Security) 12 Administration,)) 13) 14 Defendant.) 15 Plaintiff
filed a Complaint (Doc. 1), challenging the denial of her application for 16 disability insurance
benefits.

The Honorable John Z. Boyle, United States Magistrate 17 Judge, issued a Report and
Recommendation (“R&R”) (Doc. 23), recommending that the 18 Court reverse the Administrative
Law Judge’s decision and remand for further 19 proceedings. Judge Boyle advised the parties that
they had fourteen (14) days to file 20 objections to the R&R and that failure to do so could be
considered a waiver of the right to 21 review (Doc.

23 at 9–10) (citing 28 U.S.C. § 636(b)(1), U.S. v. Reyna-Tapia, 328 F.3d 22 1114, 1121 (9th Cir.
2003)). 23 The parties have not filed objections and the time to do so has expired, relieving the 24
Court of its obligation to review the R&R. See, e.g., Thomas v. Arn, 474 U.S. 140, 149–50 25
(1985) (“It does not appear that Congress intended to require district court review of a 26
magistrate’s factual or legal conclusions, under a de novo or any other standard, when 27 neither
party objects to those findings.”); Schmidt v. Johnstone, 263 F. Supp. 2d 1219, 1226 28 (D.

Ariz. 2003) (“[N]o review is required of a magistrate judge’s report and 1 | recommendation
unless objections are filed.”); see also Reyna-Tapia, 328 F.3d at 1121 2 | (€ [T]he district judge
must review the magistrate judge’s findings and recommendations novo if objection is made, but
not otherwise.”).

The Court has nonetheless reviewed the 4 | R&R and finds that it is well-taken. The Court will thus
adopt the R&R. 5 IT IS THEREFORE ORDERED that Magistrate Judge Boyle’s Report and 6 |

Recommendation (Doc. 23) is accepted and adopted by the Court. 7 IT IS FURTHER ORDERED that the final decision of the Commissioner of the 8 | Social Security Administration is reversed and remanded for further proceedings.

9 IT IS FURTHER ORDERED that Plaintiffs request for reinstatement of 10 | Medicare and removal of overpayment is dismissed without prejudice. 11 IT IS FURTHER ORDERED directing the Clerk of Court to enter judgment accordingly and terminate this case. 13 Dated this 10th day of April, 2026. 14 16 United States District Judge 17 18 19 20 21 22 23 24 25 26 27 28