

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
IOWA, CENTRAL DIVISION

DANIEL H. v. FRANK BISIGNANO, Commissioner of Social
Security

Daniel H. · No. C24-3047-LTS-MAR · Decided March 31, 2026

SUMMARY

The United States District Court for the Northern District of Iowa reviewed a magistrate judge’s report and recommendation in a Social Security disability benefits action. Finding no clear error and substantial evidence supporting the Commissioner’s decision, the court adopted the recommendation, affirmed the denial of benefits, and entered judgment for the Commissioner.

CASE DETAILS

COURT	United States District Court for the Northern District of Iowa, Central Division
WRITING FOR THE COURT	Leonard T. Strand
JURISDICTION	United States District Court for the Northern District of Iowa, Central Division
DECIDED	March 31, 2026
DOCKET	C24-3047-LTS-MAR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Review of a magistrate judge's Report and Recommendation recommending affirmance of the Commissioner's denial of disability insurance benefits. Neither party objected to the R&R.
STANDARD OF REVIEW	The Commissioner's factual findings must be affirmed if supported by substantial evidence on the record as a whole. The court may not reweigh the evidence or review the factual record de novo. Because neither party objected to the magistrate judge's Report and Recommendation, the district court reviewed it for clear error.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation.
PARTIES	Daniel H. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

Social Security

Administrative Law

Federal Civil Procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's Report and Recommendation contained clear error when it concluded that the administrative law judge adequately considered the claimant's need for a hand-held assistive device, medical history, treatment, and subjective allegations.
2. Whether the Commissioner's determination that Daniel H. was not disabled was supported by substantial evidence on the record as a whole.

HOLDINGS

1. When neither party objects to a magistrate judge's Report and Recommendation, the district court may review the recommendation for clear error; the court did so here and found no clear error.
2. The Commissioner's determination that Daniel H. was not disabled is affirmed because it was supported by substantial evidence and the magistrate judge's recommendation disclosed no clear error.

KEY QUOTATIONS

"The Commissioner's decision must be affirmed "if it is supported by substantial evidence on the record as a whole.""

"The court, however, does not "reweigh the evidence presented to the ALJ,""

"The Commissioner's determination that the Claimant was not disabled is affirmed."

FACTUAL BACKGROUND

Daniel H. sought disability insurance benefits under Title II of the Social Security Act. The Commissioner determined that he was not disabled. The R&R addressed whether the administrative law judge adequately considered Daniel H.'s need for a hand-held assistive device, medical history, treatment, and subjective allegations, and concluded that the denial was supported by substantial evidence.

PROCEDURAL HISTORY

The Commissioner denied Daniel H.'s application for Title II disability insurance benefits. Magistrate Judge Mark A. Roberts recommended affirming the denial. After the parties failed to object, the district judge reviewed the R&R for clear error, adopted it without modification, affirmed the Commissioner's determination, and directed entry of judgment for the Commissioner.

DISPOSITION

affirmed

CASES CITED

- Pelkey v. Barnhart, 433 F.3d 575, 577 (8th Cir. 2006)
- Lewis v. Barnhart, 353 F.3d 642, 645 (8th Cir. 2003)
- Culbertson v. Shalala, 30 F.3d 934, 939 (8th Cir. 1994)
- Vester v. Barnhart, 416 F.3d 886, 889 (8th Cir. 2005)
- Kluesner v. Astrue, 607 F.3d 533, 536 (8th Cir. 2010)
- Baldwin v. Barnhart, 349 F.3d 549, 555 (8th Cir. 2003)
- Cline v. Sullivan, 939 F.2d 560, 564 (8th Cir. 1991)
- Sobania v. Secretary of Health & Human Services, 879 F.2d 441, 444 (8th Cir. 1989)
- Bates v. Chater, 54 F.3d 529, 532 (8th Cir. 1995)
- Roe v. Chater, 92 F.3d 672, 675 (8th Cir. 1996)
- Naber v. Shalala, 22 F.3d 186, 188 (8th Cir. 1994)
- Finch v. Astrue, 547 F.3d 933, 935 (8th Cir. 2008)
- Browning v. Sullivan, 958 F.2d 817, 822 (8th Cir. 1992)
- Baker v. Heckler, 730 F.2d 1147, 1150 (8th Cir. 1984)
- Goff v. Barnhart, 421 F.3d 785, 789 (8th Cir. 2005)
- Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996)
- Anderson v. City of Bessemer City, 470 U.S. 564, 573 (1985)
- United States v. U.S. Gypsum Co., 333 U.S. 364, 395 (1948)
- Thomas v. Arn, 474 U.S. 140, 150 (1985)

OPINION

DANIEL H. v. FRANK BISIGNANO, Commissioner of Social Security
PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

DANIEL H.,

Plaintiff, No. C24-3047-LTS-MAR vs.

ORDER ON REPORT

FRANK BISIGNANO, Commissioner of AND RECOMMENDATION Social Security,
Defendant.

I. INTRODUCTION

This case is before me on a Report & Recommendation (R&R) by United States Magistrate Judge Mark A. Roberts. Doc. 14. Judge Roberts recommends that I affirm the decision of the

Commissioner of Social Security (the Commissioner) denying the application by plaintiff Daniel H. (the Claimant)¹ for disability insurance (DI) benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401-434. Neither party has objected to the R&R and the deadline for such objections has expired.

II. APPLICABLE STANDARDS

A. Judicial Review of the Commissioner's Decision The Commissioner's decision must be affirmed "if it is supported by substantial evidence on the record as a whole." *Pelkey v. Barnhart*, 433 F.3d 575, 577 (8th Cir. 2006); see 42 U.S.C. § 405(g) ("The findings of the Commissioner of Social Security as to any fact, if supported by substantial evidence, shall be conclusive . . .").¹ In accordance with the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States, I will refer to a Social Security claimant by his or her first name and last initial due to significant privacy concerns. "Substantial evidence is less than a preponderance, but enough that a reasonable mind might accept as adequate to support a conclusion." *Lewis v. Barnhart*, 353 F.3d 642, 645 (8th Cir. 2003). The Eighth Circuit explains the standard as "something less than the weight of the evidence and [that] allows for the possibility of drawing two inconsistent conclusions, thus it embodies a zone of choice within which the [Commissioner] may decide to grant or deny benefits without being subject to reversal on appeal." *Culbertson v. Shalala*, 30 F.3d 934, 939 (8th Cir. 1994). To determine whether the Commissioner's decision meets this standard, the court considers "all of the evidence that was before the ALJ, but it [does] not re-weigh the evidence." *Vester v. Barnhart*, 416 F.3d 886, 889 (8th Cir. 2005). The court considers both evidence which supports the Commissioner's decision and evidence that detracts from it. *Kluesner v. Astrue*, 607 F.3d 533, 536 (8th Cir. 2010). The court "must search the record for evidence contradicting the [Commissioner's] decision and give that evidence appropriate weight when determining whether the overall evidence in support is substantial." *Baldwin v. Barnhart*, 349 F.3d 549, 555 (8th Cir. 2003) (citing *Cline v. Sullivan*, 939 F.2d 560, 564 (8th Cir. 1991)). To evaluate the evidence in an appeal of a denial of benefits, the court must apply a balancing test to assess any contradictory evidence. *Sobania v. Sec'y of Health & Human Servs.*, 879 F.2d 441, 444 (8th Cir. 1989). The court, however, does not "reweigh the evidence presented to the ALJ," *Baldwin*, 349 F.3d at 555 (citing *Bates v. Chater*, 54 F.3d 529, 532 (8th Cir. 1995)), or "review the factual record de novo." *Roe v. Chater*, 92 F.3d 672, 675 (8th Cir. 1996) (citing *Naber v. Shalala*, 22 F.3d 186, 188 (8th Cir. 1994)). Instead, if, after reviewing the evidence, the court "find[s] it possible to draw two inconsistent positions from the evidence and one of those positions represents the Commissioner's findings, [the court] must affirm the [Commissioner's] denial of benefits." *Kluesner*, 607 F.3d at 536 (quoting *Finch v. Astrue*, 547 F.3d 933, 935 (8th Cir. 2008)). This is true even if the court "might have weighed the evidence differently." *Culbertson*, 30 F.3d at 939 (quoting *Browning v. Sullivan*, 958 F.2d 817, 822 (8th Cir. 1992)). The court may not reverse the Commissioner's decision "merely because substantial evidence would have supported an opposite decision." *Baker v. Heckler*, 730 F.2d 1147, 1150 (8th

Cir. 1984); see also *Goff v. Barnhart*, 421 F.3d 785, 789 (8th Cir. 2005) (“[A]n administrative decision is not subject to reversal simply because some evidence may support the opposite conclusion.”). B. Review of Report and Recommendation A district judge reviews a magistrate judge’s R&R under the following standards: Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions. 28 U.S.C. § 636(b)(1); see also Fed. R. Civ. P. 72(b). Thus, when a party objects to any portion of an R&R, the district judge must undertake a de novo review of that portion. Any portions of an R&R to which no objections have been made must be reviewed under at least a “clearly erroneous” standard. See, e.g., *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (noting that when no objections are filed “[the district court judge] would only have to review the findings of the magistrate judge for clear error”). As the Supreme Court has explained, “[a] finding is ‘clearly erroneous’ when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.” *Anderson v. City of Bessemer City*, 470 U.S. 564, 573 (1985) (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)). However, a district judge may elect to review an R&R under a more-exacting standard even if no objections are filed: Any party that desires plenary consideration by the Article III judge of any issue need only ask. Moreover, while the statute does not require the judge to review an issue de novo if no objections are filed, it does not preclude further review by the district judge, sua sponte or at the request of a party, under a de novo or any other standard. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

III. DISCUSSION

Because the parties did not object to the R&R, I have reviewed it for clear error. Judge Roberts applied the appropriate legal standards in evaluating whether the ALJ adequately considered (1) the Claimant’s need for a hand-held assistive device, (2) the Claimant’s medical history, treatment and subjective allegations and ultimately, (3) whether the ALJ’s decision was supported by substantial evidence. Based on my review of the record, I find no error – clear or otherwise – in Judge Roberts’ recommendation. As such, I adopt the R&R in its entirety.

IV. CONCLUSION

For the reasons set forth herein:

1. I accept the R&R (Doc. 14) without modification. See 28 U.S.C. § 636(b)(1).

2. Pursuant to Judge Roberts’ recommendation:

- a. The Commissioner’s determination that the Claimant was not disabled is affirmed. b. Judgment

shall enter against plaintiff and in favor of the Commissioner. IT IS SO ORDERED this 31st day of March, 2026. AY Leonard T. Strand United States District Judge

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