

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Dominique E.B.; D.L.E., Jr.; and Dontay L.C. v. Social Security Administration, or other filing departments

Dominique E.B. · No. Civ. No. 25-4727 (JWB/DJF) · Decided February 2, 2026

SUMMARY

The United States District Court for the District of Minnesota adopted a magistrate judge's Report and Recommendation after finding no clear error and no timely objections. The court dismissed the matter without prejudice under 28 U.S.C. § 1915(e)(2)(B) and denied the plaintiff's application to proceed in forma pauperis as moot.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Jerry W. Blackwell
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	February 2, 2026
DOCKET	Civ. No. 25-4727 (JWB/DJF)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal after no timely objections were filed.
STANDARD OF REVIEW	Clear-error review of the Report and Recommendation because no timely objections were filed.
PRECEDENTIAL VALUE	unknown
PARTIES	Dominique E.B., D.L.E., Jr., Dontay L.C. v. Social Security Administration, or other filing departments

TOPICS

[civil procedure](#) [administrative law](#) [judicial review of agency action](#)

PRACTICE AREAS

[civil procedure](#) [administrative law](#) [Social Security](#)

QUESTIONS PRESENTED

1. Whether the magistrate judge's Report and Recommendation should be accepted when no timely objections were filed.
2. Whether the action should be dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B).
3. Whether the application to proceed in forma pauperis should be denied as moot after dismissal.

HOLDINGS

1. When no timely objections are filed, the Report and Recommendation is reviewed for clear error, and the court found no clear error.
2. The matter was dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B).
3. Dominique B.'s application to proceed in forma pauperis was denied as moot.

FACTUAL BACKGROUND

Plaintiffs brought this action against the Social Security Administration or other filing departments and submitted an application to proceed in forma pauperis. A magistrate judge issued a Report and Recommendation, and the plaintiffs did not timely object. The district court found no clear error and dismissed the matter without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B).

PROCEDURAL HISTORY

United States Magistrate Judge Dulce J. Foster issued a Report and Recommendation on January 6, 2026. No objections were filed within the permitted time. The district court reviewed the recommendation for clear error, found none, accepted it, dismissed the matter without prejudice under 28 U.S.C. § 1915(e)(2)(B), and denied Dominique B.'s application to proceed in forma pauperis as moot.

DISPOSITION

dismissed

CASES CITED

- *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Dominique E.B.; D.L.E., Jr.; and Civ. No. 25-4727 (JWB/DJF) Dontay L.C.,¹ Plaintiffs, v. ORDER Social Security Administration, or other filing departments, Defendant. United States Magistrate Judge Dulce J. Foster issued a Report and Recommendation (“R&R”) on January 6, 2026. (Doc. No. 5.) No objections have been filed to that R&R in the time permitted.

Absent timely objections, the R&R is reviewed for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, IT IS HEREBY ORDERED that: 1.

The January 6, 2026 Report and Recommendation (Doc. No. 5) is ACCEPTED; 2. This matter is DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B); and 3. Plaintiff Dominique B.'s application to proceed in forma pauperis (Doc. 1 This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in social security appeals such as the present case.

No. 2) is DENIED as moot. LET JUDGMENT BE ENTERED ACCORDINGLY. Date: February 2, 2026 s/ Jerry W. Blackwell JERRY W. BLACKWELL United States District Judge