

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Carlos S. v. Commissioner of Social Security

Carlos S. · No. 24-cv-1432-WQH-BLM · Decided July 10, 2025

SUMMARY

The district court reviewed and adopted a magistrate judge's Report and Recommendation because no party filed an objection. The court reversed the Commissioner's final decision in part and remanded the matter for further administrative proceedings under sentence four of 42 U.S.C. § 405(g), directing the Clerk to enter judgment for the plaintiff.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	William Q. Hayes
JURISDICTION	United States District Court for the Southern District of California
DECIDED	July 10, 2025
DOCKET	24-cv-1432-WQH-BLM
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Commissioner of Social Security's final decision. The district court reviewed a magistrate judge's Report and Recommendation recommending partial reversal and remand; no party objected.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b) (1)(C), the district court must conduct de novo review of portions of a magistrate judge's report and recommendation to which objection is made, but need not conduct de novo review of portions to which no party objects.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not specified in the opinion.
PARTIES	Carlos S. v. Commissioner of Social Security

TOPICS

- judicial review of agency action
- administrative law
- civil procedure

PRACTICE AREAS

Social Security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review of the portions of the magistrate judge's Report and Recommendation to which no party objected.
2. Whether the court should adopt the Report and Recommendation and reverse the Commissioner's final decision in part with a sentence-four remand for further administrative proceedings.

HOLDINGS

1. When no party objects to a magistrate judge's Report and Recommendation, the district court need not conduct de novo review of the unobjected-to portions and may adopt those findings and recommendations.
2. The Report and Recommendation was adopted in its entirety, the Commissioner's final decision was reversed in part, and the matter was remanded for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).

KEY QUOTATIONS

“The district judge must “make a de novo determination of those portions of the report ... to which objection is made,” and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.”” (at 1)

“Neither the Constitution nor the [Federal Magistrates Act] requires a district judge to review, de novo, findings and recommendations that the parties themselves accept as correct.” (at 1)

FACTUAL BACKGROUND

The Commissioner issued a final decision in a Social Security matter involving plaintiff Carlos S. The magistrate judge recommended that the decision be reversed in part and remanded for further administrative proceedings. The parties did not object to the Report and Recommendation.

PROCEDURAL HISTORY

Magistrate Judge Barbara Lynn Major issued a Report and Recommendation recommending that the Commissioner's decision be reversed in part and the matter remanded for further administrative proceedings. No party filed an objection. The district court reviewed the Report and Recommendation and adopted it in its entirety, reversing the Commissioner's final decision in part and remanding under sentence four of 42 U.S.C. § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter was remanded for further administrative proceedings consistent with the Report and Recommendation, pursuant to sentence four of 42 U.S.C. § 405(g).

CASES CITED

- Wang v. Masaitis, 416 F.3d 992, 1000 n.13 (9th Cir. 2005)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 SOUTHERN DISTRICT OF
CALIFORNIA 10 11 CARLOS S., Case No.: 24-cv-1432-WQH-BLM Plaintiff, 12 ORDER v. 13
14 COMMISSIONER OF SOCIAL SECURITY, 15 Defendant. 16 HAYES, Judge: 17 The matter
before the Court is the review of the Report and Recommendation issued 18 by United States
Magistrate Judge Barbara Lynn Major, recommending that the 19 Commissioner’s decision be
reversed in part and that the case be remanded for further 20 proceedings.

(ECF No. 13 at 1.) 21 The duties of the district court in connection with a report and
recommendation of a 22 magistrate judge are set forth in Federal Rule of Civil Procedure 72(b)
and 28 U.S.C. 23 § 636(b). The district judge must “make a de novo determination of those
portions of the 24 report ... to which objection is made,” and “may accept, reject, or modify, in
whole or in 25 part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)
(1)(C).

26 The district court need not review de novo those portions of a report and recommendation 27 to
which neither party objects. See Wang v. Masaitis, 416 F.3d 992, 1000 n.13 (9th Cir. 28 1 ||2005);
United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) 2 ||(“Neither the
Constitution nor the [Federal Magistrates Act] requires a district judge to 3 ||review, de novo,
findings and recommendations that the parties themselves accept as 4 || correct.”).

5 No party has filed an objection to the Report and Recommendation. The Court has 6 || reviewed
the Report and Recommendation, the record, and the submissions of the parties. 7 IT IS HEREBY
ORDERED that the Report and Recommendation (ECF No. 13) is 8 || adopted in its entirety.

The Court reverses the Commissioner’s final decision and remands 9 further administrative
proceedings consistent with the Report and Recommendation. 10 || The Clerk of Court is ordered
to enter judgment in favor of Plaintiff and against Defendant, 11 ||/reversing the decision of the
Commissioner in part and remanding the matter for further 12 ||administrative proceedings
pursuant to sentence four of 42 U.S.C. § 405(g).

13 14 || Dated: July 10, 2025 Nitta Z. Ma 15 Hon, William Q. Hayes 16 United States District
Court 17 18 19 20 21 22 23 24 25 26 27 28

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