

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)

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