

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA

Frances Louise Cabell v. Frank Bisignano, Commissioner of Social
Security

Cabell · No. 5:25-cv-00586 · Decided April 21, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia adopts a magistrate judge’s proposed findings and recommendation in a Social Security appeal. The court denies the plaintiff’s request to reverse the Commissioner’s decision, grants the Commissioner’s request to affirm, affirms the final decision, and dismisses the action after no objections were filed.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia
WRITING FOR THE COURT	Frank W. Volk
JURISDICTION	United States District Court for the Southern District of West Virginia
DECIDED	April 21, 2026
DOCKET	5:25-cv-00586
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought judgment on the pleadings reversing the Commissioner of Social Security's decision. After a magistrate judge issued a PF&R recommending denial of Plaintiff's request, affirmance of the Commissioner's decision, and dismissal, no objections were filed.
STANDARD OF REVIEW	Absent timely, specific objections to a magistrate judge's PF&R, the district court need not conduct de novo review of the unobjected-to factual or legal conclusions. General and conclusory objections likewise do not require de novo review.
PRECEDENTIAL VALUE	Unknown
PARTIES	Frances Louise Cabell v. Frank Bisignano, Commissioner of Social Security

TOPICS

motion for judgment on the pleadings

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 magistrate judge's PF&R when no objections were filed.
2. Whether the court should adopt the PF&R, deny Plaintiff's request for judgment on the pleadings, affirm the Commissioner's final decision, and dismiss the action.

HOLDINGS

1. The district court was not required to conduct de novo or other review of the magistrate judge's factual or legal conclusions because no objections were filed.
2. The court adopted the PF&R, denied Plaintiff's request for judgment on the pleadings insofar as it sought reversal, granted the Commissioner's request for judgment on the pleadings insofar as it sought affirmance, affirmed the Commissioner's final decision, and dismissed the action.

KEY QUOTATIONS

“Failure to file timely objections constitutes a waiver of de novo review and the Petitioner’s right to appeal the Court’s order.”

“Accordingly, the Court ADOPTS the PF&R [ECF 12], DENIES Ms. Cabell’s request for Judgment on the Pleadings insofar as it seeks reversal of the Commissioner’s decision [ECF 9], GRANTS the Commissioner’s request for Judgment on the Pleadings insofar as it seeks to affirm the Commissioner’s decision [ECF 10], AFFIRMS the Commissioner’s final decision, and DISMISSES this matter from the docket.”

FACTUAL BACKGROUND

Frances Louise Cabell sought judicial review of a final decision by the Commissioner of Social Security. She filed a brief seeking judgment on the pleadings and reversal of the Commissioner's decision, while the Commissioner sought judgment on the pleadings affirming that decision. The opinion resolves the case on the basis that Cabell filed no objections to the magistrate judge's PF&R.

PROCEDURAL HISTORY

The action was referred to Magistrate Judge Dwane L. Tinsley, who issued a PF&R on March 27, 2026. The PF&R recommended denying Plaintiff's request for judgment on the pleadings insofar as it sought reversal, granting the Commissioner's request to affirm, affirming the final administrative decision, and dismissing the action. Because no objections were filed by the April 10, 2026 deadline, the district court adopted the PF&R, affirmed the Commissioner's decision, and dismissed the matter.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149 (1985)
- United States v. De Leon-Ramirez, 925 F.3d 177, 181 (4th Cir. 2019)
- Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)

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