

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Kristen M. H. v. Commissioner of Social Security

Kristen M. H. · No. 1:24-cv-1020 (BKS/PJE) · Decided February 24, 2026

SUMMARY

The United States District Court for the Northern District of New York adopted a magistrate judge’s Report-Recommendation in an action challenging the denial of Social Security disability insurance benefits and supplemental security income. The court granted the plaintiff’s cross-motion, denied the Commissioner’s cross-motion, reversed the Commissioner’s decision, and remanded for further proceedings.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Brenda K. Sannes
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	February 24, 2026
DOCKET	1:24-cv-1020 (BKS/PJE)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought review under 42 U.S.C. § 405(g) of the Commissioner's denial of Social Security disability insurance benefits and supplemental security income. The matter was referred to a magistrate judge, whose Report-Recommendation recommended granting plaintiff's cross-motion, denying the Commissioner's cross-motion, and reversing and remanding the Commissioner's decision. With no objections filed, the district court reviewed the Report-Recommendation for clear error and adopted it.
STANDARD OF REVIEW	The district court reviews preserved objections to a magistrate judge's findings and recommendations de novo under 28 U.S.C. § 636(b)(1)(C), and unobjected-to findings and recommendations for clear error.
PRECEDENTIAL VALUE	Unpublished district court memorandum-decision and order; generally nonprecedential.
PARTIES	Kristen M. H. v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

civil procedure

remedies

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. What standard of review governs a magistrate judge's Report-Recommendation when the parties file no objections?
2. Whether the magistrate judge's recommendation to reverse and remand the Commissioner's decision should be adopted after clear-error review.
3. Whether an apparent misstatement in the Report-Recommendation concerning the vocational expert's treatment of plaintiff's light-related limitations required correction or affected the disposition.

HOLDINGS

1. When no party properly objects to a magistrate judge's Report-Recommendation, the district court reviews the recommendation for clear error rather than de novo review.
2. The Report-Recommendation was adopted in all respects; plaintiff's cross-motion was granted, the Commissioner's cross-motion was denied, and the Commissioner's decision was reversed and remanded for further proceedings.
3. The apparent misstatement was harmless and did not warrant altering the recommendation because the intended meaning was clear from context and no party objected.

KEY QUOTATIONS

"The Court has reviewed the Report-Recommendation for clear error and found none."

"the Commissioner's decision is reversed and remanded for further proceedings"

FACTUAL BACKGROUND

The Commissioner denied plaintiff's application for Social Security disability insurance benefits and supplemental security income. In recommending remand, the magistrate judge concluded, among other things, that the vocational expert had addressed plaintiff's light-related limitation using conditions that differed from the administrative law judge's finding. The district court noted that the Report-Recommendation appeared to contain a misstatement concerning whether the vocational expert imposed more or less restrictive light-related conditions, but found the error harmless because the intended meaning was clear from context and no party objected.

PROCEDURAL HISTORY

Plaintiff filed this action challenging the denial of Social Security disability insurance benefits and supplemental security income. Magistrate Judge Paul J. Evangelista issued a Report-Recommendation on December 5, 2025,

recommending reversal and remand for further proceedings. Neither party objected, so the district court reviewed the recommendation for clear error, found none, adopted it, granted plaintiff's cross-motion, denied the Commissioner's cross-motion, and entered judgment closing the case.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner's decision is reversed and remanded for further proceedings consistent with the adopted Report-Recommendation.

CASES CITED

- Roldan v. Racette, 984 F.2d 85 (2d Cir. 1993)
- Petersen v. Astrue, 2 F. Supp. 3d 223, 228–29 (N.D.N.Y. 2012)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK KRISTEN M. H., Plaintiff, 1:24-cv-1020 (BKS/PJE) v. COMMISSIONER OF SOCIAL SECURITY, Defendant. Appearances: For Plaintiff: Howard D. Olinsky Olinsky Law Group 250 South Clinton Street, Suite 210 Syracuse, NY 13202 For Defendant: Vernon Norwood Shannon Fishel Special Assistant United States Attorney Office of the General Counsel Social Security Administration 6401 Security Boulevard Baltimore, MD 21235 Hon. Brenda K. Sannes, Chief United States District Judge: MEMORANDUM-DECISION AND ORDER Plaintiff filed this action under 42 U.S.C. § 405(g) seeking review of the Commissioner of Social Security's denial of her application for Social Security disability insurance benefits and supplemental security income.

(Dkt. No. 1). This matter was referred to United States Magistrate Judge Paul J. Evangelista for a Report-Recommendation. (Dkt. No. 4); Local Rule 72.3(e). On December 5, 2025, after reviewing the parties' briefs, (Dkt. Nos. 10, 18), and the Administrative Transcript, (Dkt. No. 15), Magistrate Judge Evangelista issued a Report-Recommendation recommending that plaintiff's cross-motion be granted, the Commissioner's cross-motion be denied, and the Commissioner's decision be reversed and remanded for further proceedings.

(Dkt. No. 19). Magistrate Judge Evangelista advised the parties that under 28 U.S.C. § 636(b)(1), they had "fourteen days within which to file written objections" to the Report-Recommendation and that "failure to object to th[e] report within fourteen days will preclude appellate review." (Dkt. No. 19, at 14 (citing Roldan v. Racette, 984 F.2d 85 (2d Cir. 1993))); 28 U.S.C. § 636(b)(1); Fed.

R. Civ. P. 72. No objections were filed. The Court reviews de novo those portions of the Magistrate Judge's findings and recommendations that have been properly preserved with a specific objection. *Petersen v. Astrue*, 2 F. Supp. 3d 223, 228–29 (N.D.N.Y. 2012); 28 U.S.C. § 636(b)(1)(C). Findings and recommendations as to which there was no properly preserved objection are reviewed for clear error.

Id. Neither of the parties has raised any objection to Magistrate Judge Evangelista's Report-Recommendation. The Court has reviewed the Report-Recommendation for clear error and found none.¹ For these reasons, it is hereby ORDERED that Magistrate Judge Evangelista's Report-Recommendation (Dkt. No. 19) is ADOPTED in all respects; and it is further ORDERED that Plaintiff's cross-motion (Dkt.

No. 10) is GRANTED; and it is further ORDERED, that Defendant's cross-motion (Dkt. No. 18) is DENIED, and the 1 In recommending remand, Magistrate Judge Evangelista found, inter alia, that the vocational expert "added... more restrictive conditions on plaintiff's light limitation." (Dkt. No. 19, at 12 (emphasis added)). This seems to have been a misstatement.

Read in context, it appears that Magistrate Judge Evangelista intended to find that by excluding jobs with "unusually bright lights" and "flashing lights" only, the VE placed less restrictive conditions on plaintiff's light limitations than the ALJ, who found plaintiff's condition prohibited her from working in jobs with concentrated exposure to "bright light." (See *id.*).

As no party objects, and the meaning is easily understood when read in context, the Court finds any error harmless. Commissioner's decision is reversed and remanded for further proceedings; and it is further ORDERED that the Clerk of the Court is directed to enter judgment and close this case. IT IS SO ORDERED. Dated: February 24, 2026 Syracuse, New York Brenda K. Sannes
Chief U.S. District Judge