

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Lloyd Harmon v. Commissioner of Social Security

Harmon · No. 24 Civ. 9216 (AT) (KHP) · Decided November 25, 2025

SUMMARY

The Southern District of New York adopted a magistrate judge’s report and recommendation concerning Lloyd Harmon’s challenge to the denial of Social Security Disability Insurance benefits. Because no objections were filed and the court found no clear error, it granted the Commissioner’s motion to dismiss the action as untimely and directed that the case be closed.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Analisa Torres
JURISDICTION	U.S. District Court for the Southern District of New York
DECIDED	November 25, 2025
DOCKET	24 Civ. 9216 (AT) (KHP)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the denial of Social Security Disability Insurance benefits. The Commissioner moved to dismiss under Federal Rule of Civil Procedure 12(b)(6) as untimely. After the assigned magistrate judge recommended granting the motion and no objections were filed, the district court reviewed the recommendation for clear error, adopted it, granted the motion, and closed the case.
STANDARD OF REVIEW	Clear-error review of an unobjected-to report and recommendation.
PRECEDENTIAL VALUE	unpublished
PARTIES	Lloyd Harmon v. Commissioner of Social Security

TOPICS

- motions to dismiss
- judicial review of agency action
- administrative law
- civil procedure
- statute of limitations

PRACTICE AREAS

administrative law

social security

civil procedure

QUESTIONS PRESENTED

1. Whether the district court should review the unobjected-to report and recommendation for clear error.
2. Whether the Commissioner's motion to dismiss the Social Security complaint as untimely should be granted.

HOLDINGS

1. When no timely objection is made to a report and recommendation, the district court reviews the recommendation for clear error.
2. The court adopted the magistrate judge's recommendation and granted the Commissioner's Rule 12(b)(6) motion to dismiss the complaint as untimely.

KEY QUOTATIONS

"Because no objection was made, the Court reviews the R&R for clear error."

"The Commissioner's motion to dismiss is GRANTED."

FACTUAL BACKGROUND

Lloyd Harmon applied for Social Security Disability Insurance benefits, but the Commissioner denied his application. Harmon filed a complaint seeking judicial review under 42 U.S.C. § 405(g), and the Commissioner moved to dismiss it as untimely. Harmon did not oppose the motion or object to the magistrate judge's recommendation that the complaint be dismissed.

PROCEDURAL HISTORY

The case was referred to Magistrate Judge Katherine H. Parker. The Commissioner moved to dismiss the complaint as untimely, and Plaintiff did not oppose the motion. Judge Parker issued a report and recommendation recommending dismissal. No objections were filed, so the district court reviewed the R&R for clear error, adopted it in its entirety, granted the motion to dismiss, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Santiago v. Colvin, No. 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014)

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