

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
NORTH CAROLINA, SOUTHERN DIVISION

Somore Parker-Farmer v. Frank J. Bisignano, Commissioner of  
Social Security

Parker-Farmer · No. No. 7:25-CV-423-FL-KS · Decided March 26, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina reviewed the denial of Somore Parker-Farmer’s application for supplemental security income. The court adopted the magistrate judge’s memorandum and recommendation, held that any failure by the Administrative Law Judge to expressly discuss the Paragraph B criteria was harmless, and affirmed the Commissioner’s decision. The court directed the clerk to close the case.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of North Carolina, Southern Division                                                                                                                                                                                                                                                                                                                                                                      |
| JURISDICTION       | United States District Court for the Eastern District of North Carolina, Southern Division                                                                                                                                                                                                                                                                                                                                                                      |
| DECIDED            | March 26, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DOCKET             | No. 7:25-CV-423-FL-KS                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| DISPOSITION        | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE | Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of supplemental security income. After a magistrate judge recommended affirmance, plaintiff objected, and the district court conducted review of the M&R and affirmed the Commissioner's final decision.                                                                                                                                                                 |
| STANDARD OF REVIEW | The court reviews the Commissioner's factual findings for substantial evidence and determines whether the correct legal standards were applied. It may not reweigh conflicting evidence, make credibility determinations, or substitute its judgment for the Commissioner's. The court conducts de novo review of timely, specific objections to a magistrate judge's M&R, and reviews only for clear error when objections are general, conclusory, or absent. |
| PRECEDENTIAL VALUE | unpublished district court order; precedential status unknown                                                                                                                                                                                                                                                                                                                                                                                                   |

## PARTIES

Somere Parker-Farmer v. Frank J. Bisignano, Commissioner of Social Security

## TOPICS

judicial review of agency action

agency adjudication

administrative law

civil procedure

## PRACTICE AREAS

Social Security

administrative law

disability benefits

federal civil procedure

## QUESTIONS PRESENTED

1. Whether the ALJ's failure to expressly rate plaintiff's limitations in each of the four Paragraph B areas for the intellectual-disorder and autism listings required reversal or remand.
2. Whether the ALJ's failure to articulate specific Paragraph B findings was harmless error because the record contained no evidence supporting extreme or marked limitations.
3. Whether the magistrate judge's M&R should be adopted and the Commissioner's denial of benefits affirmed.

## HOLDINGS

1. The ALJ erred by failing to articulate whether plaintiff lacked the Paragraph A criteria, Paragraph B criteria, or both, and by failing to specifically discuss the Paragraph B criteria.
2. The ALJ's failure to specifically discuss the Paragraph B criteria was harmless because plaintiff identified no record evidence supporting an extreme limitation in one area or marked limitations in two areas of mental functioning, and therefore failed to show prejudice.
3. The Commissioner's final decision denying benefits is affirmed, and the magistrate judge's M&R is adopted.

## KEY QUOTATIONS

*"The court must uphold the factual findings of the ALJ "if they are supported by substantial evidence and were reached through application of the correct legal standard." (at 3)*

*"In reviewing for substantial evidence, the court is not to "re-weigh conflicting evidence, make credibility determinations, or substitute [its] judgment" for defendant's." (at 3)*

*"However, the magistrate judge determined the ALJ's error was harmless as "there is no evidence in the record to support a finding that Plaintiff has an extreme limitation in one, or marked limitations in two of the four areas of mental functioning." (at 6)*

*"Therefore, plaintiff has not shown she has been prejudiced by the ALJ's failure to specifically discuss Paragraph B criteria, and the ALJ's error is therefore harmless." (at 8)*

## FACTUAL BACKGROUND

Plaintiff applied for supplemental security income alleging disability beginning April 1, 2014, when she was a minor. The ALJ found severe impairments of intellectual disorder and autism, a nonsevere impairment of obesity, and determined that the impairments did not meet, medically equal, or functionally equal a listed impairment. Plaintiff relied on psychological evaluations from 2014, 2021, and 2022, but the district court concluded that none demonstrated an extreme limitation in one or marked limitations in two of the relevant areas of mental functioning.

## PROCEDURAL HISTORY

Plaintiff applied for supplemental security income in 2021, and the application was denied initially and on reconsideration. Following a July 24, 2023, administrative hearing, the ALJ denied benefits on September 25, 2023. The Appeals Council denied review, plaintiff commenced this action, and Magistrate Judge Kimberly A. Swank recommended affirmance. Plaintiff timely objected, but the district court adopted the M&R and affirmed the Commissioner's decision.

## DISPOSITION

affirmed

## CASES CITED

- Craig v. Chater, 76 F.3d 585, 589 (4th Cir. 1996)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Laws v. Celebrezze, 368 F.2d 640, 642 (4th Cir. 1966)
- Radford v. Colvin, 734 F.3d 288, 295 (4th Cir. 2013)
- Mascio v. Colvin, 780 F.3d 632, 636, 640 (4th Cir. 2015)
- Monroe v. Colvin, 826 F.3d 176, 189 (4th Cir. 2016)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983)
- Bryant ex rel. Bryant v. Barnhart, 63 F. App'x 90, 92-93 (4th Cir. 2003)
- Keller v. Berryhill, 754 F. App'x 193, 199 (4th Cir. 2018)
- Patterson v. Commissioner of Social Security Administration, 846 F.3d 656, 658 (4th Cir. 2017)
- Shinseki v. Sanders, 556 U.S. 396, 409 (2009)