

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Silvio Hidalgo v. Lee Dudek, Acting Commissioner of the Social
Security Administration

Hidalgo · No. 24-cv-24746-BLOOM/D’Angelo · Decided January 29, 2026

SUMMARY

The United States District Court for the Southern District of Florida adopted a magistrate judge’s Report and Recommendation in a Social Security disability action. The court denied Plaintiff Silvio Hidalgo’s motion for summary judgment, granted the Commissioner’s cross-motion, and affirmed the administrative decision finding that Hidalgo was not disabled. The court also denied pending motions as moot and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Beth Bloom
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	January 29, 2026
DOCKET	24-cv-24746-BLOOM/D’Angelo
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought review under the Social Security Act of the Commissioner's denial of disability benefits. After the parties filed cross-motions for summary judgment, the matter was referred to a magistrate judge, who recommended denying Plaintiff's motion and granting Defendant's motion. The district court conducted de novo review, adopted the Report and Recommendation, affirmed the Commissioner's decision, and closed the case.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's Report and Recommendation de novo under 28 U.S.C. § 636(b)(1)(C). The Commissioner's decision was reviewed to determine whether it was supported by substantial evidence and whether the correct legal standards were applied.
PRECEDENTIAL VALUE	unpublished district court order

PARTIES

Silvio Hidalgo v. Lee Dudek, Acting Commissioner of the Social Security Administration

TOPICS

summary judgment

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

social security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the Commissioner's determination that Plaintiff was not disabled was supported by substantial evidence and free of legal error.
2. Whether the ALJ erred by determining Plaintiff's residual functional capacity without calling a medical expert.
3. Whether Plaintiff was entitled to summary judgment and whether the Commissioner was entitled to summary judgment.

HOLDINGS

1. The Commissioner's decision denying benefits was adequately supported by substantial evidence and did not contain reversible legal error.
2. The ALJ did not commit reversible error by failing to call a medical expert because the administrative record already contained sufficient evidence to support the residual functional capacity determination.
3. The reviewing court could not decide the facts anew, reweigh the evidence, or substitute its judgment for that of the Commissioner; because the ALJ's decision was supported by substantial evidence, the court was required to affirm.

KEY QUOTATIONS

“decide facts anew, reweigh the evidence, or substitute our judgment for that of the Commissioner.” (at 2 n.1)

FACTUAL BACKGROUND

An ALJ determined that Silvio Hidalgo was not disabled under the Social Security Act on June 10, 2024. The ALJ's residual functional capacity determination was based on evidence in the administrative record, and the ALJ did not call a medical expert to provide an opinion on that issue. After the Appeals Council rejected Plaintiff's appeal, he sought judicial review, contending that the agency decision lacked substantial-evidence support and contained legal error.

PROCEDURAL HISTORY

An Administrative Law Judge concluded on June 10, 2024, that Plaintiff was not disabled within the meaning of the Social Security Act. The Appeals Council denied relief, after which Plaintiff filed this action and moved for

summary judgment, arguing that the agency decision contained legal errors and was unsupported by substantial evidence. Magistrate Judge Ellen D’Angelo recommended denying Plaintiff’s motion and granting Defendant’s cross-motion; neither party objected, and the district court independently reviewed and adopted the recommendation.

DISPOSITION

affirmed

CASES CITED

- Williams v. McNeil, 557 F.3d 1287, 1291 (11th Cir. 2009)
- Mitchell v. Commissioner, Social Security Administration, 771 F.3d 780, 782 (11th Cir. 2014)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA Case No. 24-cv-24746-BLOOM/D’Angelo SILVIO HIDALGO, Plaintiff, v. LEE DUDEK, ACTING COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION, Defendant.

_____/ ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION THIS CAUSE is before the Court upon Plaintiff Silvio Hidalgo’s Motion for Summary Judgment, ECF No. [12], and Defendant Frank Bisignano, Commissioner of the Social Security Administration’s Cross Motion for Summary Judgment.

ECF No. [15]. For the reasons that follow, Plaintiff’s Motion for Summary Judgment is denied, and Defendant’s Cross Motion for Summary Judgment is granted. This matter originates from the decision of the Social Security Administration’s Administrative Law Judge (“ALJ”) on June 10, 2024, concluding that Plaintiff was not disabled within the meaning of the Social Security Act.

After unsuccessfully appealing the decision to the Appeals Council, Plaintiff filed the instant action, arguing that the Agency’s final decision contains errors of law and is not supported by substantial evidence. Plaintiff proceeded to file his Motion for Summary Judgment, and Defendant filed a Cross Motion for Summary Judgment. See ECF Nos. [12], [15]. Thereafter, the Court referred both Motions to Magistrate Judge Ellen D’Angelo for a Report and Recommendations (“R&R”).

ECF No. [17]. On January 14, 2026, Judge D’Angelo issued her Report and Recommendation on the Parties’ Motions, finding that the ALJ’s determination, as well as her findings and conclusions, were adequately supported by substantial evidence contained in the record. See ECF No. [18] at 13, 17. Judge D’Angelo further concluded that the ALJ did not commit an error of law by failing to call a medical expert to opine on Plaintiff’s residual functioning capacity (“RFC”), as there was already sufficient evidence in the record to support the ALJ’s RFC determination.¹ Accordingly,

Judge D'Angelo recommended that this Court deny Plaintiff's Motion and grant Defendant's Cross Motion.

See ECF No. [18] at 25. The R&R further advised the Parties that they would "have fourteen (14) days from the date of th[e] Report and Recommendation to file written objections, if any, with [this Court]. Failure to file objections timely would bar the Parties from a de novo determination by the District Judge of an issue covered in this Report[.]" ECF No. [18] at 25; see 28 U.S.C. § 636(b)(1)(C).

To date, the Parties have not filed objections, nor have they sought additional time to file objections. Nonetheless, the Court has conducted a de novo review of Judge D'Angelo's Report and Recommendation, the record, and is otherwise fully advised. See *Williams v. McNeil*, 557 F.3d 1287, 1291 (11th Cir. 2009) (citing 28 U.S.C. § 636(b)(1)). Upon review, the Court finds Judge D'Angelo's Report and Recommendation to be well-reasoned and correct.

The Court therefore agrees with the analysis and concludes that Plaintiff's Motion for Summary Judgment is denied, and Defendant's Cross Motion for Summary Judgment is granted. Accordingly, it is ORDERED and ADJUDGED as follows: 1 To the extent that Plaintiff challenged the conclusions reached by the ALJ, Judge D'Angelo correctly found that it was beyond the purview of the Court to "decide facts anew, reweigh the evidence, or substitute our judgment for that of the Commissioner." ECF No. [18] at 25 (quoting *Mitchell v. Comm'r, Soc.*

Sec. Admin., 771 F.3d 780, 782 (11th Cir. 2014)). Therefore, because the ALJ's decision was supported by substantial evidence, Judge D'Angelo reasoned that the Court must affirm. See *id.* Case No. 24-cv-24746-BLOOM/D'Angelo 1.

The Magistrate Judge's Report and Recommendation, ECF No. [18], is ADOPTED. 2. Plaintiff's Motion for Summary Judgment, ECF No. [12], is DENIED. 3. Defendant's Cross Motion for Summary Judgment, ECF No. [15], is GRANTED. 4.

The decision of the Commissioner is AFFIRMED. 5. All pending motions are DENIED AS MOOT. 6. The Clerk of Court shall CLOSE this case. DONE AND ORDERED in Chambers in Miami, Florida, on January 29, 2026. BET i UNITED STATES DISTRICT JUDGE Copies to: Counsel of record