

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

**Guillermo Leiva v. Frank J. Bisignano, Commissioner of the Social
Security Administration**

Leiva · No. 20-62286-CIV-SMITH · Decided December 5, 2025

SUMMARY

The United States District Court for the Southern District of Florida adopted and affirmed a magistrate judge's report and recommendation in a Social Security case. The court granted the Commissioner's motion for summary judgment, denied the plaintiff's motion for summary judgment, affirmed the administrative law judge's decision, and closed the case.

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA CASE NO. 20-62286-CIV-SMITH GUILLERMO LEIVA, Plaintiff, v. FRANK J. BISIGNANO,¹ Commissioner of Social Security Administration, Defendant. / ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE This matter is before the Court upon the Report and Recommendation (the "Report") [DE 37] of the Honorable Alicia O. Valle, U.S. Magistrate Judge, on Plaintiff's Motion for Summary Judgment [DE 33] and Defendant's Motion for Summary Judgment [DE 34].

In her thorough and well-reasoned Report, Judge Valle recommends that the Plaintiff's Motion for Summary Judgment be denied, Defendant's Motion for Summary Judgment be granted, and the Administrative Law Judge's Decision be affirmed. No objections were filed. A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1).

Those portions of the report and recommendation to which objections are made are accorded de novo review, if those objections "pinpoint the specific findings that the party disagrees with." *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); see also Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which no specific objection is made are reviewed only for clear error.

Liberty Am. Ins. Grp., Inc. v. 1 Frank J. Bisignano was appointed Commissioner of the Social Security Administration in May 2025. Consequently, pursuant to Federal Rule of Civil Procedure 25(d), Frank J. Bisignano is substituted for Martin J. O'Malley as Defendant in this case. *WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); accord *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir.

2006). The Court conducted a de novo review of Judge Valle's Report and agrees with Judge Valle's well-reasoned analysis and her recommendations. Accordingly, it is ORDERED that: 1) The Report and Recommendation [DE 37] is AFFIRMED and ADOPTED and incorporated by reference into this Court's Order. 2) Defendant's Motion for Summary Judgment [DE 34] is GRANTED.

3) Plaintiff's Motion for Summary Judgment [DE 33] is DENIED. 4) The Commissioner of the Social Security Administration's decision is AFFIRMED. 5) This case is CLOSED. DONE and ORDERED in Fort Lauderdale, Florida, this 4th day of December, 2025. RODNEY SMITH
UNITED STATES DISTRICT JUDGE ce: All counsel of record