

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Andree S. v. Commissioner of Social Security

Andree S. · No. 2:25-cv-10592 · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopts a magistrate judge’s report and recommendation in a Social Security case. The court grants the plaintiff’s motion for summary judgment, denies the Commissioner’s motion, and remands the matter for further consideration under sentence four of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Susan K. DeClercq
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	February 24, 2026
DOCKET	2:25-cv-10592
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the denial of Social Security benefits. After the assigned magistrate judge issued a report and recommendation recommending that plaintiff's summary-judgment motion be granted, defendant's motion be denied, and the matter be remanded, neither party objected. The district court reviewed and adopted the report and recommendation.
STANDARD OF REVIEW	For unobjected-to portions of a magistrate judge's report and recommendation, the parties forfeited their right to appeal the findings. The district court reviewed the report and recommendation for clear error and found none.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Andree S. v. Commissioner of Social Security

TOPICS

- summary judgment
- judicial review of agency action
- administrative law
- civil procedure
- remedies

PRACTICE AREAS

Social Security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when neither party filed objections.
2. Whether plaintiff's motion for summary judgment should be granted, defendant's motion for summary judgment denied, and the Social Security matter remanded under sentence four of 42 U.S.C. § 405(g).

HOLDINGS

1. Because neither party filed objections within the prescribed fourteen-day period, the parties forfeited their right to appeal the magistrate judge's findings.
2. The district court may adopt an unobjected-to report and recommendation after reviewing it for clear error, and the court adopted the report in full because it found no clear error.
3. Plaintiff's motion for summary judgment was granted, the Commissioner's motion for summary judgment was denied, and the matter was remanded for further consideration under sentence four of 42 U.S.C. § 405(g).

FACTUAL BACKGROUND

The plaintiff sought review of the Commissioner's decision concerning Social Security benefits. The magistrate judge recommended granting plaintiff's motion for summary judgment, denying the Commissioner's motion, and remanding for further consideration under sentence four of 42 U.S.C. § 405(g). The parties did not object to the report and recommendation.

PROCEDURAL HISTORY

Magistrate Judge Elizabeth A. Stafford issued a report and recommendation on January 27, 2026, recommending judgment for plaintiff and a sentence-four remand under 42 U.S.C. § 405(g). The parties did not file objections within the fourteen-day period. The district court found no clear error, adopted the report and recommendation in full, granted plaintiff's motion for summary judgment, denied defendant's motion, and remanded the matter.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded for further consideration under sentence four of 42 U.S.C. § 405(g).

CASES CITED

- *Berkshire v. Dahl*, 928 F.3d 520, 530-31 (6th Cir. 2019)

- Thomas v. Arn, 474 U.S. 140, 149 (1985)
- Roby v. Bloom Roofing Sys., 343 F.R.D. 487, 490 (E.D. Mich. 2023)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION ANDREE S.1, Plaintiff, Case No. 2:25-cv-10592 v. Honorable Susan K. DeClercq United States District Judge SOCIAL SECURITY, COMMISSIONER OF, Honorable Elizabeth A. Stafford Defendant. United States Magistrate Judge _____/ ORDER ADOPTING REPORT AND RECOMMENDATION (ECF No. 12), GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (ECF No. 9), DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF No. 11), AND REMANDING MATTER On January 27, 2026, Magistrate Judge Elizabeth A. Stafford issued a report, ECF No. 12, recommending that this Court grant Plaintiff Andree S.'s Motion for Summary Judgment, ECF No. 9, and deny Defendant Commissioner of Social Security's Motion for Summary Judgment, ECF No. 11.

Accordingly, Judge Stafford's report recommended that this Court remand the matter for further 1 Consistent with guidance regarding privacy concerns in Social Security cases by the Judicial Conference Committee on Court Administration and Case Management, the Eastern District of Michigan has adopted a policy to identify plaintiffs in Social Security cases by only their first names and last initials.

See also FED. R. CIV. P. 5.2(c)(2)(B). consideration under sentence four of 42 U.S.C. § 405(g). ECF No. 12 at PageID.1429. Judge Stafford provided 14 days to object. Id. at PageID.1430. But the Parties did not do so. They have therefore forfeited their right to appeal Judge Stafford's findings. See *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

Moreover, having reviewed the report and recommendation, this Court will adopt the recommendation in full because it finds no clear error. See *Roby v. Bloom Roofing Sys*, 343 F.R.D. 487, 490 (E.D. Mich. 2023) (noting that a clearly erroneous finding is one that leaves this Court with a firm and definite conviction that the magistrate judge made a mistake).

Accordingly, it is ORDERED that the Report and Recommendation, ECF No. 12, is ADOPTED. It is further ORDERED that Plaintiff's Motion for Summary Judgment, ECF No. 9, is GRANTED. It is further ORDERED that Defendant's Motion for Summary Judgment, ECF No. 11, is DENIED. It is further ORDERED that the matter is REMANDED for further consideration under sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED. This is a final order and closes the above-captioned case. /s/Susan K. DeClercq SUSAN K. DeCLERCQ United States District Judge Dated: February 24, 2026

