

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

William Lamm v. Frank J. Bisignano, Commissioner of Social
Security

Lamm · No. No. 5:24-CV-617-D · Decided February 6, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina adopts a magistrate judge’s memorandum and recommendation in a Social Security case. Because neither party objected and the court found no clear error, it remands the matter to the Commissioner of Social Security for further proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina, Western Division
WRITING FOR THE COURT	J. C. Dever III
JURISDICTION	United States District Court for the Eastern District of North Carolina, Western Division
DECIDED	February 6, 2026
DOCKET	No. 5:24-CV-617-D
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of a Social Security decision. After a magistrate judge recommended remand, neither party objected, and the district court reviewed the memorandum and recommendation for clear error.
STANDARD OF REVIEW	Clear-error review of an unobjected-to magistrate judge's memorandum and recommendation.
PRECEDENTIAL VALUE	unpublished
PARTIES	William Lamm v. Frank J. Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

Social Security

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court should review the magistrate judge's memorandum and recommendation for clear error when neither party objected.
2. Whether the memorandum and recommendation recommending remand should be adopted.

HOLDINGS

1. When neither party timely objects to a magistrate judge's memorandum and recommendation, the district court reviews the recommendation for clear error rather than conducting de novo review.
2. The district court found no clear error in the memorandum and recommendation, adopted its conclusions, and remanded the case for further proceedings.

KEY QUOTATIONS

"Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.""

(unpaginated)

FACTUAL BACKGROUND

William Lamm filed an action against the Commissioner of Social Security seeking review of a Social Security matter. The magistrate judge reviewed the record and recommended remand for further consideration. The district court found no clear error on the face of the record.

PROCEDURAL HISTORY

Lamm filed the complaint on October 31, 2024, and the parties submitted their Social Security briefs. The matter was referred to Magistrate Judge Robert B. Jones, Jr., who issued a memorandum and recommendation on January 5, 2026, recommending remand for further consideration. Neither party objected, so the district court conducted clear-error review, adopted the memorandum and recommendation, and remanded the case for further proceedings.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings consistent with the adopted memorandum and recommendation.

CASES CITED

- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Martin v. Duffy, 858 F.3d 239, 245 (4th Cir. 2017)
- United States v. Midgette, 478 F.3d 616, 622 (4th Cir. 2007)

OPINION

Lamm

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF NORTH CAROLINA

WESTERN DIVISION

No. 5:24-CV-617-D

WILLIAM LAMM,)

Plaintiff, v. ORDER

FRANK J. BISIGNANO,

Commissioner of Social Security,) Defendant. On October 31, 2024, William Lamm (“Lamm” or “plaintiff”) filed a complaint against the Commissioner of Social Security [D.E. 1]. On April 9, 2025, plaintiff filed a Social Security brief’ [D.E. 11]. On May 9, 2025, defendant responded [D.E. 13]. On May 23, 2025, plaintiff replied. [D.E. 15]. On September 12, 2025, the court referred the matter to a United States Magistrate: Judge for a memorandum and recommendation [D.E. 17]. See 28 U.S.C. § 636(b)(1)(B). On January 5, 2026, Magistrate Judge Robert B. Jones, Jr. issued a memorandum énd recommendation (“M&R”) [D.E. 18]. In the M&R, Magistrate Judge Jones recommended that the court remand the matter for further consideration. See *id.* at 12. “The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” *Diamond v. Colonial Life & Accident Ins, Cç.*, 416 F.3d 310, 315 (4th Cir. 2005) (cleaned up); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond*, 416 F.3d at 315 (quotation omitted). In “order to preserve for appeal an issue in a magistrate judge’s report, a party must object to the finding or recommendation on that issue with sufficient specificity so as reasonably to alert the district court of the true ground for the objection.” *Martin v. Duffy*, 858 F.3d 239, 245 (4th Cir. 2017) (quotation omitted); see *United States v. Midgette*, 478 F.3d 616, 622 (4th Cir. 2007). Neither party objected to the M&R. Therefore, the court reviews for clear error. The court has reviewed the M&R and the record. There is no clear error on the face of the record. See *Diamond*, 416 F.3d at 315. In sum, the court ADOPTS the conclusions in the M&R [D.E. 18]. The court REMANDS the case for further proceedings. SO ORDERED. This & day of February, 2026.

J S C. DEVER III

United States District Judge

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