

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
FLORIDA, TAMPA DIVISION

**Bianca O. Bush, on behalf of K.H. v. Frank Bisignano, Commissioner  
of Social Security**

Bush · No. 8:24-cv-2663-KKM-TGW · Decided February 12, 2026

SUMMARY

The United States District Court for the Middle District of Florida overruled Bianca Bush’s objections to the magistrate judge’s Report and Recommendation in her Social Security disability claim on behalf of her minor son, K.H. The court adopted the Report and Recommendation, affirmed the Commissioner’s denial of benefits, directed entry of judgment for the Commissioner, and closed the case.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                               |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Middle District of Florida, Tampa Division                                                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Kathryn Kimball Mizelle                                                                                                                                                                                                                                                                                                       |
| JURISDICTION          | United States District Court for the Middle District of Florida, Tampa Division                                                                                                                                                                                                                                               |
| DECIDED               | February 12, 2026                                                                                                                                                                                                                                                                                                             |
| DOCKET                | 8:24-cv-2663-KKM-TGW                                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Plaintiff sought judicial review of the Commissioner of Social Security's denial of a supplemental security income claim. The magistrate judge recommended affirmance, and the district court reviewed and overruled Plaintiff's objections, adopted the Report and Recommendation, and affirmed the Commissioner's decision. |
| STANDARD OF REVIEW    | A district court reviews timely and specific objections to factual findings by a magistrate judge de novo and reviews legal conclusions de novo, even absent an objection. The Commissioner's decision is affirmed when supported by substantial evidence and free of reversible error.                                       |
| PRECEDENTIAL VALUE    | unpublished district court order; precedential status unknown                                                                                                                                                                                                                                                                 |

## PARTIES

Bianca O. Bush, on behalf of K.H. v. Frank 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 Bush's objections to the magistrate judge's Report and Recommendation were sufficiently specific to require district-court review.
2. Whether the ALJ adequately considered the supportability of the prior administrative medical findings under 20 C.F.R. § 416.920c.
3. Whether the Commissioner's denial of supplemental security income was supported by substantial evidence and free of reversible error.

## HOLDINGS

1. Objections that merely restate arguments previously presented and fail to identify specific errors by the magistrate judge are procedurally improper and do not require responses beyond the review otherwise required by law.
2. The ALJ's discussion of the supportability of the prior administrative medical findings was sufficient under 20 C.F.R. § 416.920c.

## KEY QUOTATIONS

*"Parties filing objections to a magistrate's report and recommendation must specifically identify those findings objected to. Frivolous, conclusive, or general objections need not be considered by the district court."* (Analysis, Part III)

*"The regulations do not require an exhaustive discussion of the evidence when evaluating the consistency and supportability of an opinion."* (Analysis, Part III)

## FACTUAL BACKGROUND

Bianca Bush applied for supplemental security income on behalf of her minor son, K.H., alleging disability beginning September 1, 2017. The ALJ denied the application after evaluating K.H.'s functional limitations and the persuasiveness of prior administrative medical findings. Bush challenged the ALJ's evaluation of those findings and K.H.'s abilities in attending and completing tasks, interacting and relating with others, and moving about and manipulating objects.

## PROCEDURAL HISTORY

Bush applied on behalf of her minor son, K.H., for supplemental security income. An administrative law judge denied the application on March 1, 2024, and the Social Security Administration Appeals Council affirmed on September 13, 2024. Bush filed this action on November 15, 2024. The magistrate judge recommended affirmance, and the district court adopted that recommendation after reviewing Bush's objections.

## DISPOSITION

affirmed

## CASES CITED

- Stokes v. Singletary, 952 F.2d 1567, 1576 (11th Cir. 1992)
- Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994)
- Ashworth v. Glades Cnty. Bd. of Cnty. Comm'rs, 379 F. Supp. 3d 1244, 1246 (M.D. Fla. 2019)
- Barnett-Menzer v. Saul, No. 19-63005-CIV, 2021 WL 1206387, at \*4 (S.D. Fla. Mar. 31, 2021)
- United States v. Schultz, 565 F.3d 1353, 1361 (11th Cir. 2009) (per curiam)
- Marsden v. Moore, 847 F.2d 1536, 1548 (11th Cir. 1988)
- Koehler v. Kijakazi, No. 2:22-CV-210-JES-KCD, 2023 WL 1098234, at \*6 (M.D. Fla. Jan. 30, 2023)

## OPINION

Bush

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

TAMPA DIVISION

BIANCA O. BUSH, on behalf of K.H., Plaintiff, v. Case No. 8:24-cv-2663-KKM-TGW

FRANK BISIGNANO, COMMISSIONER

OF SOCIAL SECURITY,

Defendant.

ORDER

On January 26, 2026, the United States Magistrate Judge recommended that I affirm the Commissioner's decision to deny Plaintiff Bianca Bush's claim on behalf of K.H., Bush's minor son. R. & R. (Doc. 34). Bush timely objects. Objs. (Docs. 35, 36).<sup>1</sup> Considering the record, I overrule Bush's objections, adopt the Report and Recommendation for the reasons stated below, and affirm the Commissioner's decision.

### I. BACKGROUND

On April 20, 2021, Bush applied on behalf of K.H. for supplemental security income, alleging that K.H. has been disabled since September 1, 2017. (Doc. 12-2) at 18. On March 1, 2024, an administrative law judge (ALJ) denied 1 At the direction of the Clerk's Office, Bush refiled her objections. Thus, there are two identical filings that contain her objections. See (Docs. 35, 36). the

application, and the Social Security Administration's Appeals Council affirmed the ALJ on September 13, 2024. See *id.* at 2. On November 15, 2024, Bush sought review of the ALJ's decision in this Court. Compl. (Doc. 1). Bush averred that the ALJ erred in assessing the persuasiveness of the prior administrative medical findings (PAMFs) and K.H.'s abilities in attending and completing tasks, interacting and relating with others, and moving about and manipulating objects. See Pl.'s Br. (Doc. 19) at 13–14. After reviewing the record, the Magistrate Judge concluded that the ALJ's decision was supported by substantial evidence and there was no reversible error. See R. & R. at 1.

## II. LEGAL STANDARD

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify a magistrate judge's Report and Recommendation. 28 U.S.C. § 636(b)(1). If a party files a timely and specific objection to a finding of fact by a magistrate judge, the district court must conduct a *de novo* review with respect to that factual issue. *Stokes v. Singletary*, 952 F.2d 1567, 1576 (11th Cir. 1992). The district court reviews legal conclusions *de novo*, even in the absence of an objection. See *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994); *Ashworth v. Glades Cnty. Bd. of Cnty. Comm'rs*, 379 F. Supp. 3d 1244, 1246 (M.D. Fla. 2019).

## III. ANALYSIS

Bush's objections are almost entirely a restatement of the arguments in her initial brief. Rather than identify specific errors by the Magistrate Judge, Bush repeats her arguments regarding the ALJ's alleged errors. See generally Objs. Indeed, significant portions of the objections are copied verbatim from her initial brief. Compare *id.* at 2–7, with Pl.'s Br. at 14–15, 18–19, 22–23. These “‘objections’ are thus procedurally improper.” *Barnett-Menzer v. Saul*, No. 19-63005-CIV, 2021 WL 1206387, at \*4 (S.D. Fla. Mar. 31, 2021). I need to consider Bush's earlier arguments regarding the ALJ only as part of my *de novo* review of the Magistrate Judge's legal conclusions. Restating her earlier arguments does not raise specific objections that require responses. See *United States v. Schultz*, 565 F.3d 1353, 1361 (11th Cir. 2009) (*per curiam*) (“Parties filing objections to a magistrate's report and recommendation must specifically identify those findings objected to. Frivolous, conclusive, or general objections need not be considered by the district court.” (quoting *Marsden v. Moore*, 847 F.2d 1536, 1548 (11th Cir. 1988))). The closest that Bush comes to raising a specific objection is her contention that both the ALJ and the Magistrate Judge “relied on the unsupported opinions of the PAMFs.” Objs. at 6, 8–9. Bush then argues that “[t]hey should not be allowed to be a substitute for these failures of the ALJ's decision.” *Id.* Bush does not elaborate on this contention. As part of her argument in her initial brief that the ALJ erred in assessing the persuasiveness of the PAMFs, Bush contended that “[t]he ALJ never assessed [the] supportability” of the PAMFs as required by 20 C.F.R. § 416.920c. See Pl.'s Br. at 16; see also *id.* at 12. I interpret Bush's conclusory objection that the ALJ and the Magistrate Judge relied on the unsupported opinions of the PAMFs as raising the same argument regarding supportability. In

general, the Magistrate Judge concluded that Bush's attack on the ALJ's assessment of the PAMFs was "baseless." R. & R. at 4. On the point of supportability, the Magistrate Judge rejected Bush's argument "because the [ALJ] properly discussed the supportability of the PAMFs because he noted that after 'thoroughly reviewing the record,' the doctors concluded that the child's impairments 'impose no more than a less than marked degree of limitation in any of the functional domains' and their findings are generally supported by the medical record." Id. at 5 (quoting (Doc. 12-2) at 26). As the Magistrate Judge noted, the ALJ then discussed the records that the doctors "relied upon when forming their assessment," and thus the PAMFs. See id.; (Doc. 12-2) at 26. I agree with the Magistrate Judge's conclusions regarding the ALJ's consideration of the supportability factor. "The regulations do not require an exhaustive discussion of the evidence when evaluating the consistency and supportability of an opinion." *Koehler v. Kijakazi*, No. 2:22-CV- 210-JES-KCD, 2023 WL 1098234, at \*6 (M.D. Fla. Jan. 30, 2023). The ALJ's discussion of the supportability was sufficient. Bush's bald objection provides no reason to conclude otherwise. I overrule Bush's objection. In the absence of any other objections, and after reviewing the factual allegations and legal conclusions, I adopt the Report and Recommendation. The Commissioner's decision to deny Bush's claim on behalf of K.H. is affirmed. Accordingly, it is ORDERED:

1. Bush's Objections to the Magistrate Judge's Report and Recommendation (Docs. 35, 36) are OVERRULED.
2. The Magistrate Judge's Report and Recommendation (Doc. 34) is ADOPTED and made a part of this Order for all purposes.
3. The decision of the Commissioner is AFFIRMED.
4. The Clerk is directed to ENTER JUDGMENT in favor of the Commissioner and against Bush, TERMINATE any pending motions and deadlines, and CLOSE the case. ORDERED in Tampa, Florida, on February 12, 2026. Kathryn Kimball Mizelle United States District Judge Kr