

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Benigno N. v. Commissioner of Social Security

Benigno N. · No. Civil No. 23-1226 (GLS) · Decided April 30, 2026

SUMMARY

The United States District Court for the District of Puerto Rico denied Plaintiff Benigno N.’s motion for attorney’s fees under the Equal Access to Justice Act. The court held that the Commissioner’s position was substantially justified because the due-process issue concerning the Social Security Administration’s fraud-redetermination procedures was novel, unsettled, and subject to conflicting persuasive authority. The court also found that the submitted time records were inadequately detailed and appeared substantially duplicated from another case.

CASE DETAILS

COURT	United States District Court for the District of Puerto Rico
WRITING FOR THE COURT	Giselle López-Soler
JURISDICTION	United States District Court for the District of Puerto Rico
DECIDED	April 30, 2026
DOCKET	Civil No. 23-1226 (GLS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought attorney's fees under the Equal Access to Justice Act after the court remanded his Social Security disability-benefits case to the Social Security Administration for a new hearing.
STANDARD OF REVIEW	Under the EAJA, the court determines whether the Government's position had a reasonable basis in law and fact and whether the fee applicant submitted an adequately itemized statement supported by contemporaneous time records.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Benigno N. v. Commissioner of Social Security

TOPICS

- judicial review of agency action
- administrative law
- remedies
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to attorney's fees under the Equal Access to Justice Act despite the Commissioner's position being substantially justified in light of the novelty and unsettled nature of the due-process issue.
2. Whether Plaintiff satisfied the EAJA requirement to submit an itemized statement of actual time expended supported by detailed contemporaneous records.

HOLDINGS

1. Plaintiff did not satisfy 28 U.S.C. § 2412(d)(1)(B) because the nearly identical time entries copied from another case and the aggregated, undated research entry prevented the court and the Commissioner from determining whether the claimed time accurately reflected work performed in this case or whether the hours were reasonable.
2. The Commissioner's position was substantially justified because the due-process issue was novel, lacked controlling circuit precedent, and was subject to conflicting persuasive decisions within the district when the Commissioner advanced his position.

KEY QUOTATIONS

“To be “substantially justified,” the Government’s position need only be one that a reasonable person could find correct— meaning it must have a “reasonable basis both in law and in fact.””

“The substantial similarity in the time entries submitted in both cases in support of the request for fees strongly suggests that the timesheets submitted by counsel in this case were not derived from case-specific, contemporaneous records.”

“Considering the novelty of the issue, the absence of controlling precedent, and the emerging split in this district, the Court finds that the Commissioner’s position had a reasonable basis in law and was substantially justified.”

FACTUAL BACKGROUND

The court had previously remanded Plaintiff's Social Security case because the agency's fraud-related redetermination procedure did not provide the basis for the fraud finding before or during the hearing, depriving Plaintiff of an opportunity to challenge it. Plaintiff's EAJA submission contained time records that were nearly identical to records submitted by the same counsel in another materially similar case, including 19 of 20 identical entries and references to the other case number. The submission also included an undated ten-hour block for legal research covering an eight-month period, preventing meaningful assessment of the accuracy and reasonableness of the claimed hours.

PROCEDURAL HISTORY

Plaintiff filed a complaint seeking review of the Commissioner's denial of disability insurance benefits. On September 26, 2024, the court remanded the case to the Social Security Administration with instructions to conduct a new hearing. Plaintiff then moved for \$9,467.50 in EAJA attorney's fees. The Commissioner opposed the motion, arguing that his position was substantially justified and that Plaintiff's fee submission lacked adequate contemporaneous and case-specific time records. The court denied the motion.

DISPOSITION

other

CASES CITED

- SAYSANA v. GILLEN, 614 F.3d 1, 5 (1st Cir. 2010)
- PIERCE v. UNDERWOOD, 487 U.S. 552, 565 (1988)
- MCLAUGHLIN v. HAGEL, 767 F.3d 113, 117 (1st Cir. 2014)
- DANTRAN, INC. v. U.S. DEPT. OF LABOR, 246 F.3d 36, 41 (1st Cir. 2001)
- SCHOCK v. UNITED STATES, 254 F.3d 1, 6 (1st Cir. 2001)
- CASTAÑEDA-CASTILLO v. HOLDER, 723 F.3d 48, 79 (1st Cir. 2013)
- CANO v. SAUL, 505 F. Supp. 3d 20, 23 (D. Mass. 2020)
- WEINBERGER v. GREAT N. NEKOOSA CORP., 925 F.2d 518, 527 (1st Cir. 1991)
- GRENDEL'S DEN, INC. v. LARKIN, 749 F.2d 945, 952 (1st Cir. 1984)
- CALHOUN v. ACME CLEVELAND CORP., 801 F.2d 558, 560 (1st Cir. 1986)
- EDUARDO V. v. O'MALLEY, 2024 WL 1715138, at *3 (D.R.I. Apr. 22, 2024)
- EDUARDO V. v. O'MALLEY, 2022 WL 22441521, at *7 (D.R.I. Feb. 21, 2024)
- PÉREZ-MALDONADO v. COMM'R OF SOC. SEC., 2024 WL 3517637 (D.P.R. July 24, 2024)
- SEPÚLVEDA-VEGA v. COMM'R OF SOC. SEC., 2024 WL 3325331, at *10 (D.P.R. July 3, 2024)
- BERNARDO-RODRIGUES v. HYDE, 2026 WL 370863, at *3 (D. Me. Feb. 10, 2026)
- SIERRA CLUB v. SECRETARY OF ARMY, 820 F.2d 513, 517 (1st Cir. 1987)