

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA

Lisa Clayton v. Frank J. Bisignano, Commissioner of Social Security

Clayton · No. 4:24-CV-00148-M-RN · Decided January 12, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina adopts a magistrate judge’s Memorandum and Recommendation after finding no clear error and no timely objections. The court grants the plaintiff’s request for relief, remands the Social Security matter to the Commissioner for further proceedings, and directs that the plaintiff be given an additional opportunity to testify.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina
WRITING FOR THE COURT	Richard E. Myers II
JURISDICTION	United States District Court for the Eastern District of North Carolina
DECIDED	January 12, 2026
DOCKET	4:24-CV-00148-M-RN
DISPOSITION	remanded
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Memorandum and Recommendation in a Social Security benefits action. Because neither party filed a timely objection, the court reviewed the recommendation for clear error, adopted it, granted Plaintiff's request for relief, and remanded to the Commissioner.
STANDARD OF REVIEW	Clear-error review applies to portions of a magistrate judge's recommendation to which no specific and timely objection is made; de novo review applies to portions subject to a specific and timely objection.
PRECEDENTIAL VALUE	Unknown

TOPICS

- judicial review of agency action
- administrative law
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. What standard of review applies when neither party timely objects to a magistrate judge's Memorandum and Recommendation?
2. Whether the district court should adopt the magistrate judge's recommendation and remand the matter to the Commissioner for further proceedings.

HOLDINGS

1. When no specific and timely objection is filed to a magistrate judge's recommendation, the district court reviews the recommendation for clear error and need not provide an explanation for adopting it.
2. The court adopted the Memorandum and Recommendation, granted Plaintiff's request for relief, and remanded the matter to the Commissioner for further proceedings, including an additional hearing at which Plaintiff must be given an opportunity to testify.

KEY QUOTATIONS

"A magistrate judge's recommendation carries no presumptive weight." (DE 20)

"Absent a specific and timely objection, the court reviews only for 'clear error' and need not give any explanation for adopting the recommendation." (DE 20)

FACTUAL BACKGROUND

Plaintiff sought judicial relief in connection with her Social Security matter. The magistrate judge recommended remand for further proceedings. The district court determined that the record revealed no clear error and ordered the Commissioner to conduct an additional hearing at which Plaintiff would have an opportunity to testify.

PROCEDURAL HISTORY

Magistrate Judge Robert T. Numbers recommended granting Plaintiff's request for relief, denying Defendant's request for relief, and remanding the matter to the Commissioner for further proceedings. The recommendation was served on December 12, 2025, and neither party timely objected. The district court found no clear error, adopted the recommendation, ordered an additional hearing at which Plaintiff could testify, and directed the Clerk to close the case.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Commissioner must conduct an additional hearing at which Plaintiff is given the opportunity to testify, consistent with the court's order.

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 271 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION Case No. 4:24-CV-00148-M-RN LISA CLAYTON, Plaintiff, V. ORDER FRANK J. BISIGNANO, Commissioner of Social Security, Defendant. This matter comes before the court on the Memorandum and Recommendation (“M&R”) issued by United States Magistrate Judge Robert T. Numbers, I] [DE 20].

Therein, Judge Numbers recommends that the court grant Plaintiff's request for relief [DE 14], deny Defendant's request for relief [DE 18], and remand this matter to the Commissioner for further proceedings. DE 20 at 23.

The M&R, along with instructions and a deadline for filing objections, was served on the parties on December 12, 2025. See *id.* Neither party filed a timely objection. A magistrate judge's recommendation carries no presumptive weight.

The court “may accept, reject, or modify, in whole or in part, the... recommendation[]... receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1); accord *Mathews v. Weber*, 423 U.S. 261, 271 (1976).

The court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” /d. § 636(b)(1). Absent a specific and timely objection, the court reviews only for “clear error” and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins.*

Co., 416 F.3d 310, 315 (4th Cir. 2005). Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. See *Diamond*, 416 F.3d at 315.

For the reasons stated therein, Plaintiff's motion for relief [DE 14] is GRANTED, and this matter is REMANDED to the Commissioner for further proceedings consistent with this order. The Commissioner SHALL conduct an additional hearing at which Plaintiff is given the opportunity to testify.

The Clerk of Court is DIRECTED to close this case. SO ORDERED this ath day of January, 2026.
RICHARD E. MYERS II CHIEF UNITED STATES DISTRICT JUDGE