

**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

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.” *Id.* § 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

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