

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, NORTHERN DIVISION

Katina Tagert White v. Commissioner of Social Security

White · No. 3:25-CV-649-KHJ-MTP · Decided May 18, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopted a magistrate judge’s Report and Recommendation, finding that the Administrative Law Judge made factual inaccuracies concerning the plaintiff’s lumbar-spine range of motion. The court reversed the Commissioner of Social Security’s final decision and remanded the case for further administrative proceedings.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Northern Division
JURISDICTION	United States District Court for the Southern District of Mississippi, Northern Division
DECIDED	May 18, 2026
DOCKET	3:25-CV-649-KHJ-MTP
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	White sought judicial review under 42 U.S.C. § 405(g) of the Commissioner of Social Security's final decision denying disability insurance benefits. The matter was referred to a magistrate judge, who recommended reversal and remand; no party objected, and the district court reviewed and adopted the recommendation.
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's report and recommendation, the district court reviews the report under the clearly erroneous, abuse of discretion, and contrary to law standard rather than de novo review.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	Katina Tagert White v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

administrative law

social security disability

federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation should be reviewed under the clearly erroneous, abuse of discretion, and contrary to law standard when no party timely objects.
2. Whether the Commissioner's final decision should be reversed and remanded because the ALJ relied on factual inaccuracies concerning White's lumbar-spine range of motion.

HOLDINGS

1. When no party timely objects to a magistrate judge's report and recommendation, the district court applies the clearly erroneous, abuse of discretion, and contrary to law standard of review rather than de novo review.
2. The Commissioner's final decision must be reversed and the case remanded for further administrative proceedings because the ALJ relied on factual inaccuracies concerning White's lumbar-spine range of motion, and the correct information could have affected the decision.

KEY QUOTATIONS

“the ‘clearly erroneous, abuse of discretion and contrary to law’ standard of review.” (unpaginated)

FACTUAL BACKGROUND

White applied for disability insurance benefits in January 2022. Following the agency's denial, an ALJ conducted two hearings in 2024 and determined that White was not disabled. The ALJ's analysis contained factual inaccuracies concerning the range of motion in White's lumbar spine, and the correct medical information could have affected the disability determination.

PROCEDURAL HISTORY

White applied for disability insurance benefits in January 2022. After the agency denied the application, an ALJ held two hearings in 2024 and found that White was not disabled. The Appeals Council denied review, making the ALJ's decision the Commissioner's final decision. Magistrate Judge Michael T. Parker recommended reversal and remand because the ALJ made factual inaccuracies concerning White's lumbar-spine range of motion. The district court found no clear error, abuse of discretion, or legal error in the report, adopted it, reversed the Commissioner's decision, and remanded for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The action is remanded to the Commissioner for further administrative proceedings consistent with the district court's order and the magistrate judge's report and recommendation.

CASES CITED

- 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam)

OPINION

White

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF MISSISSIPPI

NORTHERN DIVISION

KATINA TAGERT WHITE PLAINTIFF

V. CIVIL ACTION NO. 3:25-CV-649-KHJ-MTP

COMMISSIONER OF SOCIAL DEFENDANT

SECURITY

ORDER

Before the Court is Magistrate Judge Michael T. Parker's [18] Report and Recommendation. R. & R. [18]. The [18] Report recommends reversing the Commissioner of Social Security Administration's final decision and remanding the case. at 1. In January 2022, plaintiff Katina Tagert White ("White") applied for disability insurance benefits. Admin. R. [10] at 206–14. The agency denied her application, so an Administrative Law Judge ("ALJ") conducted two hearings in 2024 and found that White was not disabled. at 19–34. White appealed the ALJ's decision, but the Appeals Council denied her request for review. at 6. Thus, the ALJ's decision became the Commissioner's final decision. Now, White seeks judicial review in this Court under 42 U.S.C. § 405(g). [1]. The [18] Report finds that the ALJ's analysis of White's medical records contains factual inaccuracies about White's range of motion in her lumbar spine.

[18] at 13. The ALJ relied on those factual errors, and the correct information could have impacted the ALJ's decision. at 15. So the [18] Report recommends reversing the Commissioner's final decision and remanding the action to the Commission for further administrative proceedings. at 16. Written objections to the [18] Report were due by May 12, 2026. The

[18] Report notified the parties that failure to file written objections by that date would bar further appeal in accordance with 28 U.S.C. § 636. No party objected to the [18] Report, and the time to do so has passed. The Court must review de novo a magistrate judge's report only when a party objects to the report within 14 days after being served with a copy. 28 U.S.C. § 636(b)(1). When no party timely objects to the report, the Court applies "the 'clearly erroneous, abuse of discretion and contrary to law' standard of review." , 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Finding the [18] Report neither clearly erroneous, contrary to law, nor an

abuse of discretion, the Court adopts the [18] Report, reverses the Commissioner's final decision, and remands this action to the Commissioner for further administrative proceedings consistent with this order and the [18] Report. In doing so, the Court has considered all arguments raised. Those arguments not addressed would not have altered the Court's decision. SO ORDERED, this 18th day of May, 2026. s/

UNITED STATES DISTRICT JUDGE