

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Crystal N. v. Frank Bisignano, Commissioner of Social Security

Crystal N. · No. 2:25-cv-01093-JNP-JCB · Decided February 2, 2026

SUMMARY

The United States District Court for the District of Utah adopted a magistrate judge’s report and recommendation denying Crystal N.’s motion to proceed in forma pauperis in her Social Security action. The court found that Plaintiff waived objections by failing to object, that the recommendation was not clearly erroneous, and that the motion was moot because Plaintiff had paid the full filing fee.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Jill N. Parrish
JURISDICTION	United States District Court for the District of Utah
DECIDED	February 2, 2026
DOCKET	2:25-cv-01093-JNP-JCB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought leave to proceed in forma pauperis in an action against the Commissioner of Social Security. After the magistrate judge recommended denying the motion and Plaintiff filed no objections, the district court adopted the recommendation and denied the motion.
STANDARD OF REVIEW	Absent a timely objection to a magistrate judge's report and recommendation, the party waives arguments challenging the recommendations. If waiver is excused, the district court reviews the recommendations for clear error.
PRECEDENTIAL VALUE	unpublished
PARTIES	Crystal N. v. Frank Bisignano, Commissioner of Social Security

TOPICS

[waiver](#) [civil procedure](#)

PRACTICE AREAS

[civil procedure](#) [social security](#)

QUESTIONS PRESENTED

1. Whether Plaintiff waived challenges to the magistrate judge's report and recommendation by failing to object.
2. Whether the report and recommendation should be adopted despite the absence of objections.
3. Whether the in forma pauperis motion was moot because Plaintiff paid the full filing fee.

HOLDINGS

1. A party who does not object to a magistrate judge's report and recommendation waives arguments challenging the recommendation, absent circumstances requiring the court to excuse the waiver.
2. Even if the court excuses waiver, it may review the magistrate judge's report and recommendation for clear error.
3. The court adopted the report and recommendation and denied Plaintiff's motion for leave to proceed in forma pauperis; the motion was also effectively moot because Plaintiff had paid the full filing fee.

KEY QUOTATIONS

“Because Plaintiff did not object to the report and recommendation, she has waived any argument challenging its recommendations.”

“Furthermore, the motion is effectively moot, as Plaintiff has now paid the full filing fee.”

“Thus, the court ADOPTS the report and recommendation in full and DENIES the Plaintiff's Motion for Leave to Proceed In Forma Pauperis.”

FACTUAL BACKGROUND

Crystal N. filed a complaint against the Commissioner of Social Security and moved to proceed in forma pauperis. The motion was referred to Magistrate Judge Jared C. Bennett, who recommended that it be denied. Plaintiff did not object to the recommendation and later paid the full filing fee.

PROCEDURAL HISTORY

Plaintiff filed the complaint and an in forma pauperis motion on December 2, 2025. The matter was referred to Magistrate Judge Jared C. Bennett, who issued a report and recommendation on December 30, 2025, recommending denial of the motion. Plaintiff did not object, and she subsequently paid the full filing fee. The district court adopted the report and recommendation and denied the motion.

DISPOSITION

other

CASES CITED

- *Paciorek v. Church of Jesus Christ of Latter-Day Saints*, No. 2:23-cv-00904, 2024 WL 2818881, at *1 (D. Utah June 3, 2024)

- Zloza v. Indus. Co., No. 4:23-cv-17, 2023 WL 2760784, at *1 (D. Utah Apr. 3, 2023)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH CRYSTAL N.,
MEMORANDUM DECISION AND Plaintiff, ORDER ADOPTING REPORT AND
RECOMMENDATION v. FRANK BISIGNANO, Commissioner of Case No. 2:25-cv-01093-
JNP-JCB Social Security, Chief District Judge Jill N. Parrish Defendant. Plaintiff Crystal N. filed
a complaint against Defendant on December 2, 2025. ECF No. 1.

Plaintiff also filed a Motion for Leave to Proceed In Forma Pauperis that same day. ECF No. 2.
The case and motion were referred to Magistrate Judge Jared C. Bennett under 28 U.S.C. § 636(b)
(1)(B). ECF No. 5. On December 30, 2025, Judge Bennett issued a report and recommendation
that the court deny the Plaintiff's Motion for Leave to Proceed In Forma Pauperis.

ECF No. 6. Because Plaintiff did not object to the report and recommendation, she has waived any
argument challenging its recommendations. Paciorek v. Church of Jesus Christ of Latter-Day
Saints, No. 2:23-cv-00904, 2024 WL 2818881, at *1 (D. Utah June 3, 2024). And nothing
indicates that the interests of justice demand excusing waiver here. *Id.* Even if the court excused
waiver and reviewed for clear error, the court would conclude that Judge Bennett's analysis is not
clearly erroneous.

See Zloza v. Indus. Co., No. 4:23-cv-17, 2023 WL 2760784, at *1 (D. Utah Apr. 3, 2023).
Furthermore, the motion is effectively moot, as Plaintiff has now paid the full filing fee. Thus, the
court ADOPTS the report and recommendation in full and DENIES the Plaintiff's Motion for
Leave to Proceed In Forma Pauperis. Signed February 2, 2026. BY THE COURT Jill N. Parrish
United States Chief District Judge