

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA**

**Ashley Nicole McDonald v. Frank Bisignano, Commissioner of Social
Security**

McDonald v. Bisignano · No. 2:25-cv-00400 · Decided March 11, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION ASHLEY NICOLE MCDONALD, Plaintiff, v. CIVIL ACTION NO. 2:25-cv-00400 FRANK BISIGNANO Commissioner of Social Security, Defendant. MEMORANDUM OPINION AND ORDER This action was referred to United States Magistrate Judge Omar J. Aboulhosen for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636.

On December 12, 2025, Magistrate Judge Aboulhosen submitted his Proposed Findings & Recommendations (“PF&R”), [ECF No. 12], and recommended that the court GRANT the Plaintiff’s request for remand, [ECF No. 9], DENY the Commissioner’s request to affirm the decision below, [ECF No. 10], REVERSE the final decision of the Commissioner, and REMAND this matter back to the Commissioner pursuant to the fourth sentence of 42 U.S.C. 405(g) for further administrative proceedings consistent with the PF&R.

Neither party timely filed objections to the PF&R nor sought an extension of time. A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed.

Thomas v. Arn, 474 U.S. 140, 150 (1985). Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court GRANTS the Plaintiff’s request for remand, [ECF No. 9], DENIES the Commissioner’s request to affirm the decision below, [ECF No. 10], REVERSES the final decision of the Commissioner, and REMANDS this matter back to the Commissioner pursuant to the fourth sentence of 42 U.S.C. 405(g) for further administrative proceedings consistent with the PF&R.

The court DIRECTS the Clerk to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented party. ENTER: March 11, 2026 1e G 6G pe STATES DISTRICT

JUDGE

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