

United States Court of Appeals
For the Eighth Circuit

No. 25-3478

Richard Allen Smuda

Plaintiff - Appellant

v.

Social Security Administration, Frank Bisignano, Commissioner

Defendant - Appellee

Appeal from United States District Court
for the District of North Dakota - Western

Submitted: October 2, 2026

Filed: October 9, 2026

[Unpublished]

Before GRASZ, KOBES, and TRAYNOR, Circuit Judges.

PER CURIAM.

Richard Smuda appeals the district court's¹ order affirming the decision of the Commissioner of the Social Security Administration regarding the amount of his child's insurance benefits. Upon de novo review, we find substantial evidence supports the Commissioner's decision. See Rodysill v. Colvin, 745 F.3d 947, 949 (8th Cir. 2014) (standard of review). Because the bankruptcy discharge received by Smuda's representative payee did not affect Smuda's own liability for the overpaid benefits, the Commissioner properly offset that overpaid amount against the underpaid benefits due to him. See 11 U.S.C. § 524(e) (discharge of debtor's debt does not affect liability of other entity); 20 C.F.R. § 404.503(a) (offsetting overpaid and underpaid benefits). Smuda's contention regarding his representative payee's misuse of the benefits is not preserved on appeal, as he first raised the issue in a postjudgment motion. See Sipp v. Astrue, 641 F.3d 975, 980 (8th Cir. 2011).

The judgment is affirmed.

¹The Honorable Clare R. Hochhalter, United States Magistrate Judge for the District of North Dakota, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).