

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA

Tina Jewell Pully v. Frank Bisignano

Pully v. Bisignano · No. 2:24-cv-777-CWB · Decided March 9, 2026

SUMMARY

The United States District Court for the Middle District of Alabama reviewed Tina Jewell Pully’s appeal from the Commissioner of Social Security’s denial of Disability Insurance Benefits. The court held that the Administrative Law Judge properly evaluated Pully’s subjective pain complaints and that the decision was supported by substantial evidence. Pully’s motion for summary judgment was denied, and the Commissioner’s motion for summary judgment was granted.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama
WRITING FOR THE COURT	Chad W. Bryan
JURISDICTION	United States District Court for the Middle District of Alabama
DECIDED	March 9, 2026
DOCKET	2:24-cv-777-CWB
DISPOSITION	affirmed
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying Disability Insurance Benefits. The parties consented to magistrate-judge jurisdiction, and the court construed Plaintiff's supporting brief and the Commissioner's opposition as competing motions for summary judgment.
STANDARD OF REVIEW	The court reviews whether the Commissioner applied the proper legal standards and whether the decision is supported by substantial evidence. The ALJ's factual findings are conclusive if supported by substantial evidence, defined as more than a scintilla but less than a preponderance and such relevant evidence as a reasonable person would accept as adequate. The court may not reweigh the evidence or substitute its judgment for that of the Commissioner.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court opinion

PARTIES

Tina Jewell Pully v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

disability definition

PRACTICE AREAS

Social Security law

administrative law

disability benefits

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated Plaintiff's subjective complaints of pain and other symptoms under 20 C.F.R. § 404.1529 and Social Security Ruling 16-3p.
2. Whether substantial evidence supported the ALJ's resulting residual-functional-capacity assessment and the Commissioner's denial of benefits.

HOLDINGS

1. The ALJ properly evaluated Plaintiff's subjective statements regarding pain and adequately articulated explicit and adequate reasons for finding that the alleged intensity, persistence, and limiting effects were not entirely consistent with the medical and other evidence.
2. The ALJ formulated an appropriate RFC and the Commissioner's denial of benefits was supported by substantial evidence; the court therefore affirmed the decision.

KEY QUOTATIONS

"The medical evidence of record documents pain management treatment with Dr. Aaron Shinkle of Center For Pain (5F, 8F, 11F, 15F, 18F-19F)." (Tr. 18)

"Accordingly, the court finds that the ALJ's evaluation of Plaintiff's subjective statements was supported by substantial evidence." (Tr. 22)

FACTUAL BACKGROUND

Plaintiff alleged disability from blindness or low vision, spinal and back conditions, arthritis, bipolar disorder, and sleep disorder. The ALJ found severe spinal, mental-health, substance-use, and obesity impairments, but determined that Plaintiff retained the residual functional capacity for restricted light work and could perform jobs existing in significant numbers in the national economy. The ALJ found that Plaintiff's statements about the intensity and limiting effects of her pain were not entirely consistent with treatment records showing improvement with medication, injections, and radiofrequency ablation, as well as examinations showing good strength and normal gait. No physician had imposed restrictions greater than those included in the RFC.

PROCEDURAL HISTORY

Plaintiff applied for Disability Insurance Benefits, alleging disability beginning December 29, 2019. The Social Security Administration denied the claim initially and on reconsideration; after a hearing, the ALJ found Plaintiff not disabled on June 14, 2024. The Appeals Council denied review on October 9, 2024, making the ALJ's decision the Commissioner's final decision. The district court denied Plaintiff's motion for summary judgment, granted the Commissioner's motion, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Chester v. Bowen, 792 F.2d 129, 131 (11th Cir. 1986)
- Graham v. Apfel, 129 F.3d 1420, 1422 (11th Cir. 1997)
- Crawford v. Comm'r of Soc. Sec., 363 F.3d 1155, 1158-59, 1161 (11th Cir. 2004)
- Carnes v. Sullivan, 936 F.2d 1215, 1218 (11th Cir. 1991)
- Edwards v. Sullivan, 937 F.2d 580, 584 n.3 (11th Cir. 1991)
- Hillsman v. Bowen, 804 F.2d 1179, 1180 (11th Cir. 1986)
- Walker v. Bowen, 826 F.2d 996, 999 (11th Cir. 1987)
- McDaniel v. Bowen, 800 F.2d 1026, 1030 (11th Cir. 1986)
- Phillips v. Barnhart, 357 F.3d 1232, 1237-40, 1242-43 (11th Cir. 2004)
- Ellison v. Barnhart, 355 F.3d 1272, 1276 (11th Cir. 2003)
- Ware v. Schweiker, 651 F.2d 408, 412 (5th Cir. 1981)
- Smith v. Comm'r of Soc. Sec., 486 F. App'x 874, 876 n.* (11th Cir. 2012)
- Turner v. Kijakazi, No. 1:19-CV-774, 2021 WL 3276596, at *9 (M.D. Ala. July 30, 2021)
- Carroll v. Soc. Sec. Admin., Comm'r, No. 6:21-CV-00014, 2022 WL 3718503, at *12 (N.D. Ala. Aug. 29, 2022)
- Mixon v. Kijakazi, No. 8:20-CV-2991, 2022 WL 2816964, at *3 (M.D. Fla. July 19, 2022)
- Stromgren v. Kijakazi, No. 3:21-CV-908, 2022 WL 1205347, at *5 (N.D. Fla. Mar. 11, 2022)
- Alexander v. Comm'r of Soc. Sec. Admin., No. 6:20-CV-01862, 2022 WL 4291335, at *5 (N.D. Ala. Sept. 16, 2022)
- Foote v. Chater, 67 F.3d 1553, 1561-62 (11th Cir. 1995)
- Patterson v. Kijakazi, No. 8:21-CV-359, 2022 WL 3028058, at *3 (M.D. Fla. Aug. 1, 2022)
- Martinez v. Comm'r of Soc. Sec., No. 21-12116, 2022 WL 1531582, at *2 (11th Cir. May 16, 2022)
- Williams v. Kijakazi, No. 2:20-CV-277, 2022 WL 736260, at *2 (M.D. Ala. Mar. 10, 2022)
- Mitchell v. Comm'r, Soc. Sec. Admin., 771 F.3d 780, 782 (11th Cir. 2014)
- Coley v. Comm'r of Soc. Sec., 771 F. App'x 913, 917 (11th Cir. 2019)
- Dyer v. Barnhart, 395 F.3d 1206, 1211 (11th Cir. 2005)
- Gogel v. Comm'r of Soc. Sec., No. 2:20-CV-366, 2021 WL 4261218, at *9 (M.D. Fla. Sept. 20, 2021)

- *Werner v. Comm'r of Soc. Sec.*, 421 F. App'x 935, 939 (11th Cir. 2011)
- *Horne v. Comm'r of Soc. Sec.*, No. 2:20-CV-181, 2021 WL 3023679, at *5 (M.D. Fla. June 28, 2021)
- *Sarria v. Comm'r of Soc. Sec.*, 579 F. App'x 722, 724 (11th Cir. 2014)
- *Borges v. Comm'r of Soc. Sec.*, 771 F. App'x 878, 882-83 (11th Cir. 2019)
- *Zoslow v. Comm'r of Soc. Sec.*, 778 F. App'x 762, 764 (11th Cir. 2019)

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