

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Doris V.T. v. Leland Dudek, Acting Commissioner of Social Security

Doris V.T. v. Dudek · No. 24-cv-1022-RSH-MMP · Decided May 23, 2025

SUMMARY

The United States District Court for the Southern District of California granted in part Plaintiff Doris V.T.’s motion for summary judgment, vacated the Commissioner of Social Security’s denial of supplemental security income benefits, and remanded for further administrative proceedings. The court held that the incomplete San Diego Regional Center report triggered the ALJ’s duty to further develop the record and affected evaluation of the medical opinions and residual functional capacity. The court rejected Plaintiff’s challenge concerning witness testimony and denied her request for interim benefits.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Robert S. Huie
JURISDICTION	United States District Court for the Southern District of California
DECIDED	May 23, 2025
DOCKET	24-cv-1022-RSH-MMP
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner’s denial of supplemental security income benefits. The parties submitted cross-positions on summary judgment, and the Court granted Plaintiff’s motion in part, vacated the ALJ’s decision, and remanded for further administrative proceedings.
STANDARD OF REVIEW	The Court may reverse the Commissioner’s decision only if it is based on legal error or unsupported by substantial evidence. Substantial evidence is more than a mere scintilla and means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. Where evidence is susceptible to more than one rational interpretation, the ALJ’s decision should be upheld, but the Court must consider the entire record as a whole.
PRECEDENTIAL VALUE	unpublished district court order

PARTIES

Doris V.T. v. Leland Dudek, Acting Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

summary judgment

civil procedure

PRACTICE AREAS

Social Security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ erred by evaluating medical opinions and determining Plaintiff's residual functional capacity while relying on an incomplete SDRC Report.
2. Whether the ALJ violated Plaintiff's due-process rights or failed to develop the record by declining to permit Plaintiff's mother, brother, and SDRC vocational counselor to testify after Plaintiff expressly objected to their testimony.
3. Whether the Court should apply the credit-as-true rule and remand with instructions to award benefits rather than remand for further administrative proceedings.
4. Whether Plaintiff was entitled to interim benefits requested for the first time in her reply brief.

HOLDINGS

1. The incomplete SDRC Report triggered the ALJ's duty to further develop the record because the ALJ relied on it in evaluating medical opinions and determining Plaintiff's residual functional capacity. Remand was therefore warranted.
2. The ALJ did not err by declining to permit Plaintiff's mother, brother, and SDRC vocational counselor to testify after Plaintiff expressly stated that she did not want other witnesses to testify.
3. The Court declined to remand with instructions to award benefits because the record was not fully developed and additional administrative proceedings could remedy the identified defect.
4. The Court denied Plaintiff's request for interim benefits because it was raised for the first time in the reply brief and Defendant had not been given an opportunity to respond.

KEY QUOTATIONS

"The ALJ 'has a special duty to fully and fairly develop the record and to assure that the claimant's interests are considered.'" (at 7)

"For each of these issues, the incomplete SDRC Report triggered the duty to further develop the record." (at 8)

"The Court therefore exercises its discretion to remand the case for further proceedings." (at 9)

FACTUAL BACKGROUND

Plaintiff sought supplemental security income based on alleged disability, including major depressive disorder with psychotic symptoms and ADHD. The ALJ relied substantially on an SDRC Individual Program Plan and related references when evaluating medical opinions and determining Plaintiff's residual functional capacity. The administrative record contained only portions of the SDRC Report, including a page that began and ended mid-sentence, leaving the report incomplete and its authorship unclear.

PROCEDURAL HISTORY

Plaintiff applied for Title XVI supplemental security income in 2013. After an initial ALJ denial, Appeals Council denial of review, a prior federal-court remand, a subsequent dismissal for failure to appear, and Appeals Council vacatur of that dismissal, a third ALJ found Plaintiff not disabled on April 2, 2024. Plaintiff filed this action on June 11, 2024. The Court concluded that the incomplete SDRC Report required further development of the record, rejected Plaintiff's challenge concerning excluded witness testimony, denied interim benefits, vacated the ALJ decision, and remanded under sentence four of 42 U.S.C. § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further administrative proceedings consistent with the opinion, including development of the record concerning the complete SDRC Report and reconsideration of the medical opinion evidence and residual functional capacity. On remand, Plaintiff may withdraw her objections and elicit testimony from the previously identified witnesses.

CASES CITED

- Smith v. Berryhill, 139 S. Ct. 1765, 1772 (2019)
- Valentine v. Comm'r Soc. Sec. Admin., 574 F.3d 685, 689 (9th Cir. 2009)
- Bustamante v. Massanari, 262 F.3d 949, 953-54 (9th Cir. 2001)
- Bayliss v. Barnhart, 427 F.3d 1211, 1214 n.1 (9th Cir. 2005)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Ryan v. Comm'r of Soc. Sec., 528 F.3d 1194, 1198 (9th Cir. 2008)
- Ghanim v. Colvin, 763 F.3d 1154, 1160 (9th Cir. 2014)
- Smolen v. Chater, 80 F.3d 1273, 1288 (9th Cir. 1996)
- Brown v. Heckler, 713 F.2d 441, 443 (9th Cir. 1983)
- McLeod v. Astrue, 640 F.3d 881, 885 (9th Cir. 2011)
- Tonapetyan v. Halter, 242 F.3d 1144, 1150-51 (9th Cir. 2001)
- Zavalin v. Colvin, 778 F.3d 842, 846 (9th Cir. 2015)
- Trevizo v. Berryhill, 871 F.3d 664, 682 (9th Cir. 2017)
- Revels v. Berryhill, 874 F.3d 648 (9th Cir. 2017)

- Garrison v. Colvin, 759 F.3d 995, 1020 (9th Cir. 2014)
- Carter v. Barnhart, 22 F. App'x 930, 931 (9th Cir. 2002)
- Eberle v. City of Anaheim, 901 F.2d 814, 818 (9th Cir. 1990)
- Nw. Acceptance Corp. v. Lynnwood Equip., Inc., 841 F.2d 918, 924 (9th Cir. 1988)

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