

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Jennifer L. E. v. Frank Bisignano, Commissioner of the Social Security Administration

Jennifer L. E. · No. 1:24-cv-01015-KRS · Decided March 19, 2026

SUMMARY

The United States District Court for the District of New Mexico granted Plaintiff Jennifer L. E.’s motion to reverse and remand the Commissioner of Social Security’s denial of supplemental security income. The court held that the Administrative Law Judge failed to adequately consider Plaintiff’s diagnosed chronic pain syndrome, including its physical and psychological effects, when formulating her residual functional capacity. The case was remanded for further proceedings consistent with the opinion.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kevin R. Sweazea
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 19, 2026
DOCKET	1:24-cv-01015-KRS
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying her application for supplemental security income. The parties consented to dispositive proceedings before a magistrate judge. Plaintiff moved to reverse and remand, and the court granted the motion.
STANDARD OF REVIEW	The court reviews whether substantial evidence supports the Commissioner's factual findings and whether the ALJ applied the correct legal standards. The court may not reweigh the evidence or substitute its judgment for the Commissioner's, and the ALJ must discuss evidence supporting the decision as well as uncontroverted evidence that the ALJ chooses not to rely upon.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion and order; persuasive value only

PARTIES

Jennifer L. E. v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

judicial review of agency action

administrative law

agency adjudication

disability definition

PRACTICE AREAS

Social Security

administrative law

disability benefits

QUESTIONS PRESENTED

1. Whether the ALJ's failure to determine separately whether Plaintiff's chronic pain syndrome was severe or non-severe at step two constituted reversible error.
2. Whether the ALJ adequately considered Plaintiff's chronic pain syndrome, including its physical and psychological effects, when formulating the residual functional capacity.
3. Whether the court should address Plaintiff's remaining claims of error after finding reversible error in the RFC analysis.

HOLDINGS

1. The ALJ's failure to discuss whether chronic pain syndrome was severe or non-severe at step two was not reversible error because the ALJ found other severe impairments and proceeded to the next steps of the sequential evaluation.
2. The ALJ committed reversible legal error by failing to evaluate Plaintiff's diagnosed chronic pain syndrome as an impairment when formulating the RFC. The ALJ's general references to pain did not establish that he considered the distinct physical and psychological effects of chronic pain syndrome.
3. The court declined to address Plaintiff's remaining claims because chronic pain syndrome may affect the other determinations on remand.

KEY QUOTATIONS

"The ALJ's lack of discussion as to Plaintiff's diagnosed CPS leaves the Court unable to determine whether or how its physical and mental aspects were actually considered, as required by the regulations."

"We do not dictate any result [by remanding the case]. Our remand simply assures that the correct legal standards are invoked in reaching a decision based on the facts of the case."

FACTUAL BACKGROUND

Jennifer L. E. applied for supplemental security income based on osteoarthritis, lumbar spinal stenosis, a bulging disc, degenerative disc disease, and related limitations. The ALJ found severe obesity and degenerative disc disease of the lumbar and cervical spine, but did not separately discuss Plaintiff's diagnosed chronic pain syndrome. Plaintiff reported significant pain and limitations in sitting, standing, walking, bending, lifting, and daily activities, and her treating providers identified chronic pain-related conditions. The ALJ found that Plaintiff

could perform a restricted range of light work and denied benefits based on vocational-expert testimony identifying jobs existing in significant numbers in the national economy.

PROCEDURAL HISTORY

Plaintiff applied for supplemental security income, and the application was denied initially and on reconsideration. After a hearing, the administrative law judge issued an unfavorable decision on January 29, 2024. The Appeals Council denied review on August 2, 2024, making the ALJ's decision the Commissioner's final decision. Plaintiff filed this action on October 7, 2024. The district court concluded that the ALJ failed to adequately evaluate chronic pain syndrome in formulating the residual functional capacity and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded to the Social Security Administration for further proceedings consistent with the opinion. On remand, the ALJ must fully consider Plaintiff's chronic pain syndrome, including its physical and mental effects, when evaluating the evidence and formulating the RFC. The court did not dictate a particular result.

CASES CITED

- Allman v. Colvin, 813 F.3d 1326, 1330 (10th Cir. 2016)
- Lax v. Astrue, 489 F.3d 1080, 1084 (10th Cir. 2007)
- Langley v. Barnhart, 373 F.3d 1116, 1118 (10th Cir. 2004)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Grogan v. Barnhart, 399 F.3d 1257, 1261-62 (10th Cir. 2005)
- Clifton v. Chater, 79 F.3d 1007, 1009-10 (10th Cir. 1996)
- Byron v. Heckler, 742 F.2d 1232, 1235 (10th Cir. 1984)
- Barnhart v. Thomas, 540 U.S. 20, 24 (2003)
- Wall v. Astrue, 561 F.3d 1048, 1051-52 (10th Cir. 2009)
- Winfrey v. Chater, 92 F.3d 1017, 1023-25 (10th Cir. 1996)
- Williams v. Bowen, 844 F.2d 748, 750-51 (10th Cir. 1988)
- Rivera v. Commissioner, Social Security Administration, No. 22-1026, 2022 U.S. App. LEXIS 33008, 2022 WL 17333068, at *5 (10th Cir. Nov. 30, 2022)
- Holgersen v. Commissioner, Social Security Administration, No. 20-CV-00668-MSK, 2021 U.S. Dist. LEXIS 128945, 2021 WL 2910655, at *5 (D. Colo. July 12, 2021)
- Wells v. Colvin, 727 F.3d 1061, 1065 (10th Cir. 2013)

- Bakalarski v. Apfel, No. 97-1107, 1997 U.S. App. LEXIS 34055, at *6, 1997 WL 748653, at *2 (10th Cir. Dec. 3, 1997)
- Lester v. Chater, 81 F.3d 821, 829 (9th Cir. 1995)
- Martinez v. Kijakazi, No. 1:20-cv-00991-WJ-KRS, 2022 U.S. Dist. LEXIS 14140, 2022 WL 214539 (D.N.M. Jan. 25, 2022)
- Howard v. Berryhill, No. 17-cv-00276-RBJ, 2017 U.S. Dist. LEXIS 190175, 2017 WL 5507961, at *6 n.4 (D. Colo. Nov. 17, 2017)
- Scates v. Astrue, 2012 U.S. Dist. LEXIS 183505, 2012 WL 13080131, at *5 (D.N.M. 2012)
- Sotelo v. Astrue, 2011 WL 13289791, at *6 (D.N.M. 2011)
- Watkins v. Barnhart, 350 F.3d 1297, 1299 (10th Cir. 2003)
- Kepler v. Chater, 68 F.3d 387, 391-92 (10th Cir. 1995)