

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION AT DAYTON

Jenna B. v. Commissioner of Social Security

No. 3:25-cv-00126 (S.D. Ohio Dec. 17, 2025) (report and recommendation) · No. 3:25-cv-00126 · Decided
December 17, 2025

SUMMARY

This Report and Recommendation addresses Jenna B.’s action under 42 U.S.C. § 405(g) seeking review of the Commissioner of Social Security’s denial of Child Disability Insurance Benefits and Supplemental Security Income. The magistrate judge recommends overruling Plaintiff’s statement of errors and affirming the Commissioner’s decision, concluding that the ALJ properly evaluated the medical opinions and that the decision was supported by substantial evidence. The case also concerns compliance with a prior remand order regarding the evaluation of treating-source opinions.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division at Dayton
WRITING FOR THE COURT	Kimberly A. Jolson
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division at Dayton
DECIDED	December 17, 2025
DOCKET	3:25-cv-00126
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on judicial review of the Commissioner's denial of Child Disability Insurance Benefits and Supplemental Security Income.
STANDARD OF REVIEW	The court reviews whether the Commissioner's decision is supported by substantial evidence and was made pursuant to proper legal standards. Substantial evidence is more than a scintilla but less than a preponderance and is evidence a reasonable mind might accept as adequate to support the conclusion. A supported decision must be affirmed even if the reviewing court would have decided the matter differently.
PRECEDENTIAL VALUE	unpublished

TOPICS

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated the persuasiveness and consistency of Joyce Parson's medical opinions after the prior district-court remand.
2. Whether the ALJ adequately evaluated the supportability and consistency of Emily Freimuth's medical opinion under the applicable Social Security regulations.
3. Whether the Commissioner's denial of benefits was supported by substantial evidence and made pursuant to proper legal standards.

HOLDINGS

1. The ALJ complied with the prior remand order and reasonably found Joyce Parson's opinions unpersuasive because the proposed extreme limitations were inconsistent with medical records, Plaintiff's reported ability to interact with others, and her ability to maintain part-time employment.
2. The ALJ adequately evaluated the supportability of Freimuth's opinion by considering the opinion's internal explanation and Freimuth's notation that Plaintiff's mood symptoms were well managed.
3. The ALJ adequately evaluated the consistency of Freimuth's opinion by comparing it with Plaintiff's subjective reports and other evidence in the record.
4. The Commissioner's decision denying benefits should be affirmed because it was supported by substantial evidence and made pursuant to proper legal standards.

KEY QUOTATIONS

"The ALJ's role is to articulate how she considered medical opinions and how persuasive she found the medical opinions to be." (R. at 580-581)

"The role of the Court is not to reweigh the evidence, but to make sure the ALJ considered the proper factors and supported her conclusion with substantial evidence." (R. at 581)

"For the foregoing reasons, it is RECOMMENDED that the Court OVERRULE Plaintiff's Statement of Errors (Doc. 8) and AFFIRM the Commissioner's decision." (Conclusion)

FACTUAL BACKGROUND

Plaintiff alleged disability based on multiple mental impairments, including major depressive disorder, anxiety, PTSD, ADHD, panic attacks, and related symptoms. The ALJ found severe mental impairments but determined

that Plaintiff had no past relevant work, retained the residual functional capacity for a full range of work at all exertional levels with significant nonexertional restrictions, and could perform jobs existing in significant numbers in the national economy. The ALJ found the opinions of Joyce Parson, a licensed independent social worker, unpersuasive and the opinion of Emily Freimuth, a psychiatric nurse practitioner, persuasive.

PROCEDURAL HISTORY

Plaintiff applied for Child Disability Insurance Benefits and later Supplemental Security Income. An administrative law judge denied benefits in 2020, and the Appeals Council denied review. The district court remanded the matter to the Commissioner in September 2022. On remand, a second administrative law judge again denied benefits, the Appeals Council denied review, and Plaintiff filed this action under 42 U.S.C. § 405(g). The magistrate judge recommended overruling Plaintiff's statement of errors and affirming the Commissioner's decision.

DISPOSITION

other

CASES CITED

- Winn v. Comm'r of Soc. Sec., 615 F. App'x 315, 320 (6th Cir. 2015)
- Rogers v. Comm'r of Soc. Sec., 486 F.3d 234, 241 (6th Cir. 2007)
- Cutlip v. Sec'y of HHS, 25 F.3d 284, 286 (6th Cir. 1994)
- Olive v. Comm'r of Soc. Sec., No. 3:06 CV 1597, 2007 WL 5403416, at *2 (N.D. Ohio Sept. 19, 2007)
- Abbott v. Sullivan, 905 F.2d 918, 922 (6th Cir. 1990)
- Mullen v. Bowen, 800 F.2d 535, 538 (6th Cir. 1986) (en banc)
- Kinsella v. Schweiker, 708 F.2d 1058, 1059-60 (6th Cir. 1983)
- Wyatt v. Comm'r of Soc. Sec., No. 1:16-CV-938, 2017 WL 3224666, at *6 (S.D. Ohio July 31, 2017)
- Robinson v. Comm'r of Soc. Sec., No. 22-1397, 2022 WL 17168444, at *2 (6th Cir. Nov. 22, 2022)
- Poe v. Comm'r of Soc. Sec., 342 F. App'x 149, 155 (6th Cir. 2009)
- Holston v. Saul, No. 1:20-CV-1001, 2021 WL 1877173, at *11, *14 (N.D. Ohio Apr. 20, 2021)
- Michael R. v. Comm'r of Soc. Sec., No. 2:22-CV-4117, 2023 WL 6160626, at *5 (S.D. Ohio Sept. 21, 2023)
- Thomas J. v. Comm'r of Soc. Sec., No. 1:24-CV-00048, 2024 WL 3841221, at *10 (S.D. Ohio Aug. 15, 2024)
- Molly H. v. Comm'r of Soc. Sec., No. 3:24-CV-00181, 2025 WL 2630681, at *6 (S.D. Ohio Sept. 12, 2025)
- Crum v. Comm'r of Soc. Sec., 660 F. App'x 449, 457 (6th Cir. 2016)
- Newman v. Kijakazi, No. CV 5:22-59-KKC, 2023 WL 2700700, at *2 (E.D. Ky. Mar. 29, 2023)
- Terhune v. Kijakazi, Civil Action No. 3:21-37-KKC, 2022 WL 2910002, at *3 (E.D. Ky. July 22, 2022)
- Jones v. Comm'r of Soc. Sec., No. 1:25-CV-515, 2025 WL 2701333, at *9 (N.D. Ohio Sept. 23, 2025)
- Cormany v. Kijakazi, No. 5:21-cv-933, 2022 WL 4115232, at *3 (N.D. Ohio Sept. 9, 2022)

- Reusel v. Comm’r of Soc. Sec., No. 5:20-CV-1291, 2021 WL 1697919, at *7 & n.6 (N.D. Ohio Apr. 29, 2021)
- David W. v. Comm’r of Soc. Sec., No. 3:24-CV-00255, 2025 WL 841074, at *7 (S.D. Ohio Mar. 18, 2025)
- Perkins v. Comm’r of Soc. Sec., No. 1:20-CV-554, 2021 WL 3722772, at *7 (S.D. Ohio Aug. 23, 2021)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947 (6th Cir. 1981)

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