

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Vivian C. v. Martin O'Malley, Commissioner of Social Security

No. 3:24-cv-00939-GPC (S.D. Cal. Sept. 30, 2025) · No. 3:24-cv-00939-GPC · Decided September 30, 2025

SUMMARY

The United States District Court for the Southern District of California grants Plaintiff Vivian C.’s motion for summary judgment in an action seeking review of the denial of disability insurance benefits. The court concludes that the administrative law judge’s decision was not supported by substantial evidence and remands the case for an immediate award of benefits. The order discusses the claimant’s history of left upper-extremity, shoulder, neck, and wrist impairments and the administrative proceedings leading to judicial review.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Gonzalo P. Curiel
JURISDICTION	United States District Court for the Southern District of California
DECIDED	September 30, 2025
DOCKET	3:24-cv-00939-GPC
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying disability insurance benefits. The parties filed cross-briefing styled as a motion for summary judgment and response and reply.
STANDARD OF REVIEW	The court reviews the Commissioner's decision for legal error and substantial evidence, meaning more than a scintilla but less than a preponderance and such relevant evidence as a reasonable mind might accept as adequate. Where evidence is susceptible to more than one rational interpretation, the ALJ's conclusion must be upheld. Under the pre-2017 regulations, an ALJ must provide specific and legitimate reasons supported by substantial evidence to reject a contradicted treating physician's opinion, and clear and convincing reasons to reject uncontradicted treating or examining medical opinions or a claimant's symptom testimony when there is no evidence of malingering.

PRECEDENTIAL VALUE	Unpublished district court opinion; persuasive rather than binding precedent.
PARTIES	Vivian C. v. Martin O'Malley, Commissioner of Social Security

TOPICS

judicial review of agency action summary judgment administrative law ada / disability remedies

PRACTICE AREAS

administrative law social security disability civil procedure remedies

QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient, specific and legitimate reasons supported by substantial evidence for discounting the opinions of Plaintiff's treating physicians.
2. Whether the ALJ provided specific, clear, and convincing reasons for discounting Plaintiff's subjective symptom testimony.
3. Whether the case should be remanded for further administrative proceedings or for an immediate award of benefits under the credit-as-true rule.

HOLDINGS

1. The ALJ erred by failing to provide specific and legitimate reasons supported by substantial evidence for discounting the treating physicians' opinions, including by failing to address the Kaiser Permanente treating records and the July 23, 2008 functional assessment imposing more restrictive left-hand limitations.
2. The ALJ failed to provide specific, clear, and convincing reasons for rejecting Plaintiff's subjective testimony concerning the severity and limiting effects of her symptoms.
3. Remand for an immediate award of benefits was warranted because the record was fully developed, the ALJ failed to provide legally sufficient reasons for rejecting medical opinion and symptom evidence, and crediting the improperly rejected evidence as true would require a finding of disability.

KEY QUOTATIONS

"When the ALJ denies benefits and the court finds error, the court ordinarily must remand to the agency for further proceedings before directing an award of benefits."

"The opinion of a nonexamining physician cannot by itself constitute substantial evidence that justifies the rejection of the opinion of either an examining physician or a treating physician."

"Therefore, if the improperly discredited evidence were credited as true, the ALJ would be required to find Plaintiff disabled on remand."

FACTUAL BACKGROUND

Vivian C. alleged disability from chronic left wrist, neck, shoulder, and upper-extremity pain arising from a prior dorsal wrist ganglion excision, myofascial pain syndrome, and related conditions. Treating records documented reduced left-hand grip strength, restrictions on repetitive gripping and fine manipulation, and treatment at Kaiser Permanente from 2009 through 2010, including physical therapy, medication, and trigger-point injections. The third ALJ found that Plaintiff could perform a restricted range of light work, but the district court concluded that the ALJ failed to properly evaluate treating-source opinions and Plaintiff's subjective symptom testimony.

PROCEDURAL HISTORY

Plaintiff filed a disability insurance benefits application in September 2012, which was denied initially and on reconsideration. After multiple administrative hearings and unfavorable ALJ decisions, the Appeals Council remanded once and later affirmed the third ALJ's unfavorable decision. The district court previously remanded the matter in 2021 for failure to consider treating medical records. On renewed review, the court granted Plaintiff's motion for summary judgment, reversed the ALJ's decision, and remanded for an immediate award of benefits.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the Commissioner of Social Security for an immediate award of disability benefits.

CASES CITED

- Parra v. Astrue, 481 F.3d 742, 746 (9th Cir. 2007)
- Robbins v. Soc. Sec. Admin., 466 F.3d 880, 882 (9th Cir. 2006)
- Burch v. Barnhart, 400 F.3d 676, 679 (9th Cir. 2005)
- Bray v. Comm'r of Soc. Sec. Admin., 554 F.3d 1219, 1222-23 (9th Cir. 2009)
- Garrison v. Colvin, 759 F.3d 995, 1011-12, 1020-22 (9th Cir. 2014)
- Farlow v. Kijakazi, 53 F.4th 485, 488 & n.3 (9th Cir. 2022)
- Trevizo v. Berryhill, 871 F.3d 664, 675-76 (9th Cir. 2017)
- Ryan v. Comm'r of Soc. Sec., 528 F.3d 1194, 1198, 1202 (9th Cir. 2008)
- Reddick v. Chater, 157 F.3d 715, 722, 725 (9th Cir. 1998)
- Magallanes v. Bowen, 881 F.2d 747, 751 (9th Cir. 1989)
- Embrey v. Bowen, 849 F.2d 418, 421-22 (9th Cir. 1988)
- Hill v. Astrue, 698 F.3d 1153, 1160-61 (9th Cir. 2012)
- Orn v. Astrue, 495 F.3d 625, 632 (9th Cir. 2007)
- Kelly v. Berryhill, 732 F. App'x 558, 562 n.4 (9th Cir. 2018)
- Lingenfelter v. Astrue, 504 F.3d 1028, 1035-36 (9th Cir. 2007)
- Bunnell v. Sullivan, 947 F.2d 341, 344 (9th Cir. 1991) (en banc)

- *Smolen v. Chater*, 80 F.3d 1273, 1281, 1284 (9th Cir. 1996)
- *Lambert v. Saul*, 980 F.3d 1266, 1277-78 (9th Cir. 2020)
- *Leon v. Berryhill*, 880 F.3d 1041, 1045 (9th Cir. 2017)
- *Treichler v. Comm'r of Soc. Sec. Admin.*, 775 F.3d 1090, 1099, 1103 (9th Cir. 2014)
- *Lopez v. Astrue*, 497 F. App'x 717, 719 (9th Cir. 2012)
- *Benecke v. Barnhart*, 379 F.3d 587, 595 (9th Cir. 2004)
- *Knorr v. Berryhill*, 254 F. Supp. 3d 1196, 1220 (C.D. Cal. 2017)

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