

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Diane A. Heskett v. Frank Bisignano, Commissioner of Social
Security

Heskett · No. 1:25-cv-00274-SKO · Decided July 17, 2025

SUMMARY

The court reviewed the Commissioner of Social Security’s denial of Diane A. Heskett’s application for disability insurance benefits. It held that the ALJ failed to adequately develop the record and that the physical residual functional capacity determination was not supported by substantial evidence after the ALJ rejected the medical opinions in the record. The court found the error harmful and ordered remand for further proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 17, 2025
DOCKET	1:25-cv-00274-SKO
DISPOSITION	vacated
PROCEDURAL POSTURE	Judicial review of the Commissioner's final decision denying disability insurance benefits. The court reviewed the administrative record and the parties' briefs without oral argument.
STANDARD OF REVIEW	The court may set aside the Commissioner's decision only if it is based on legal error or is not supported by substantial evidence in the record as a whole. Substantial evidence is more than a mere scintilla and is such relevant evidence as a reasonable mind might accept as adequate. The court must consider the record as a whole and may not substitute its judgment where the evidence is susceptible to more than one rational interpretation. Errors are harmless only when inconsequential to the ultimate nondisability determination.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive value only
PARTIES	Diane A. Heskett v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

agency adjudication

PRACTICE AREAS

Social Security disability benefits

administrative law

judicial review of agency action

residual functional capacity

remand for further administrative proceedings

QUESTIONS PRESENTED

1. Whether the ALJ's physical RFC determination was supported by substantial evidence when the ALJ rejected every medical opinion concerning Plaintiff's functional limitations and independently translated raw medical evidence into work restrictions.
2. Whether the ALJ had a duty to further develop the administrative record because the evidence concerning Plaintiff's functional limitations was ambiguous or inadequate.
3. Whether the ALJ's error was harmful and required remand.
4. Whether the ALJ provided legally sufficient reasons for rejecting Plaintiff's subjective symptom complaints.

HOLDINGS

1. The ALJ's physical RFC determination was not supported by substantial evidence because the ALJ rejected all medical opinions concerning Plaintiff's functional limitations and formulated specific work restrictions from the ALJ's own interpretation of raw medical evidence and testimony.
2. The ALJ had a duty to further develop the record because the treatment and imaging evidence was raw and ambiguous regarding the functional limitations caused by Plaintiff's impairments.
3. The error was harmful because a properly developed record and different RFC limitations could have changed the disability determination and the vocational expert's testimony was based on incomplete hypotheticals.
4. The court declined to reach Plaintiff's alternative challenge to the ALJ's evaluation of her subjective symptom complaints because remand was independently required for further development of the record.

KEY QUOTATIONS

"An ALJ's duty to develop the record further is triggered only when there is ambiguous evidence or when the record is inadequate to allow for proper evaluation of the evidence." (Discussion § IV.A)

"the ALJ was not qualified to the translate evidence into functional limitations and engage in their "own exploration and assessment" of a Plaintiff's impairments." (Discussion § IV.A)

"Based on the foregoing, the Court finds that the ALJ's decision is not supported by substantial evidence and is therefore VACATED, and the case is REMANDED to the ALJ for further proceedings consistent with this Order." (Conclusion and Order)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning July 2, 2022, based on multiple physical and mental impairments, including spinal, shoulder, gastrointestinal, metabolic, and psychological conditions. The ALJ found numerous severe impairments and assessed an RFC for light work with additional physical and mental restrictions, but rejected or found unpersuasive every medical opinion addressing Plaintiff's functional limitations. The ALJ nevertheless concluded at step five that Plaintiff could perform work as a toy stuffer, table worker, or document preparer.

PROCEDURAL HISTORY

Plaintiff applied for disability insurance benefits, and the Commissioner denied the claim initially and on reconsideration. After an ALJ hearing, the ALJ found Plaintiff not disabled at step five of the sequential evaluation because she could perform other work in the national economy. The Appeals Council denied review, making the ALJ's decision final. The district court vacated the Commissioner's decision and remanded for further proceedings.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Commissioner and ALJ must further develop the record concerning the functional limitations caused by Plaintiff's impairments and reconsider the medical evidence for the relevant period. The matter is remanded for further proceedings; the court did not direct an immediate award of benefits.

CASES CITED

- Tackett v. Apfel, 180 F.3d 1094, 1097-98, 1102-03 (9th Cir. 1999)
- Burch v. Barnhart, 400 F.3d 676, 679 (9th Cir. 2005)
- Swenson v. Sullivan, 876 F.2d 683, 687 (9th Cir. 1989)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Consolidated Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Ford v. Saul, 950 F.3d 1141, 1154, 1156 (9th Cir. 2020)
- Valentine v. Commissioner of Social Security Administration, 574 F.3d 685, 690 (9th Cir. 2009)
- Tommasetti v. Astrue, 533 F.3d 1035, 1038 (9th Cir. 2008)
- Edlund v. Massanari, 253 F.3d 1152, 1156 (9th Cir. 2001)
- Sousa v. Callahan, 143 F.3d 1240, 1243 (9th Cir. 1998)
- Penny v. Sullivan, 2 F.3d 953, 956 (9th Cir. 1993)
- Molina v. Astrue, 674 F.3d 1104, 1111, 1115 (9th Cir. 2012)
- Stout v. Commissioner, Social Security Administration, 454 F.3d 1050, 1055-56 (9th Cir. 2006)
- Robbins v. Social Security Administration, 466 F.3d 880, 885 (9th Cir. 2006)
- Shinseki v. Sanders, 556 U.S. 396, 409 (2009)

- Shafer v. Barnhart, 120 F. App'x 688, 698 (9th Cir. 2005)
- Andrews v. Shalala, 53 F.3d 1035, 1039-40 (9th Cir. 1995)
- Petrini v. Berryhill, 705 F. App'x 511, 512 (9th Cir. 2017)
- Rounds v. Commissioner of Social Security, 807 F.3d 996, 1006 (9th Cir. 2015)
- de Hoog v. Commissioner of Social Security, No. 2:13-CV-0235-KJN, 2014 WL 3687499, at *7 (E.D. Cal. July 23, 2014)
- Meadows v. Saul, 807 F. App'x 643, 647 (9th Cir. 2020)
- Garrison v. Colvin, 759 F.3d 995, 1018 (9th Cir. 2014)
- Rodriguez v. Bowen, 876 F.2d 759, 763 (9th Cir. 1989)
- Tackett v. Apfel, 180 F.3d 1094, 1102-03 (9th Cir. 1999)
- Miller v. Astrue, 695 F. Supp. 2d 1042, 1048 (C.D. Cal. 2010)
- Banks v. Barnhart, 434 F. Supp. 2d 800, 805 (C.D. Cal. 2006)
- Hurt v. Kijakazi, No. 3:20-CV-00481-CSD, 2022 WL 444355, at *9-10 (D. Nev. Feb. 14, 2022)
- Howell v. Kijakazi, No. 20-CV-2517-BLM, 2022 WL 2759090, at *7 (S.D. Cal. July 14, 2022)
- Shipp v. Colvin, No. CV 13-9468 JC, 2014 WL 4829035, at *7 (C.D. Cal. Sept. 26, 2014)
- McAnally v. Berryhill, Case No. 3:18-cv-02272-GPC-RNB, 2020 WL 1443734, at *7 (S.D. Cal. Mar. 25, 2020)
- Day v. Weinberger, 522 F.2d 1154, 1156 (9th Cir. 1975)
- Bradford v. Commissioner of Social Security Administration, No. CV-21-00232-TUC-SHR (JR), 2022 WL 4538569, at *5 (D. Ariz. Aug. 18, 2022)
- Walker v. Commissioner of Social Security, Case No. 2:22-cv-01871-EJY, 2024 WL 64784, at *6 (D. Nev. Jan. 4, 2024)
- Holtan v. Kijakazi, No. 2:22-cv-01222-VCF, 2023 WL 2424648, at *3 (D. Nev. Mar. 9, 2023)
- De Gutierrez v. Saul, No. 1:19-cv-00463-BAM, 2020 WL 5701019, at *6 (E.D. Cal. Sept. 24, 2020)
- Perez v. Secretary of Health & Human Services, 958 F.2d 445, 446 (1st Cir. 1992)
- Goolsby v. Berryhill, Case No. 1:15-cv-00615-JLT, 2017 WL 1090162, at *8 (E.D. Cal. Mar. 22, 2017)
- March v. Colvin, 792 F.3d 1170, 1172 (9th Cir. 2015)
- Clarendia A. S. v. O'Malley, No. 1:24-CV-00127-DKG, 2024 WL 4851214, at *5 (D. Idaho Nov. 21, 2024)
- Lewis v. Apfel, 236 F.3d 503, 517 (9th Cir. 2001)
- Benecke v. Barnhart, 379 F.3d 587, 593 (9th Cir. 2004)
- Osborne v. Commissioner of Social Security, No. 1:22-CV-01538-EPG, 2024 WL 1312202, at *5 (E.D. Cal. Mar. 27, 2024)
- Hiler v. Astrue, 687 F.3d 1208, 1212 (9th Cir. 2012)
- Augustine ex rel. Ramirez v. Astrue, 536 F. Supp. 2d 1147, 1153 n.7 (C.D. Cal. 2008)