

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Brian R. v. Commissioner of Social Security

No. 25-cv-00049 (D.N.J. Jan. 16, 2026) · No. 25-cv-00049 · Decided January 16, 2026

SUMMARY

The United States District Court for the District of New Jersey reviews Brian R.’s appeal from the denial of Disability Insurance Benefits and Supplemental Security Income. The court holds that the Administrative Law Judge properly evaluated the alleged neuropathy, obstructive sleep apnea, lumbar degenerative disc disease, medical opinions, and residual functional capacity. The court affirms the Commissioner’s decision finding that Plaintiff was not disabled under the Social Security Act.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Christine P. O'Hearn
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	January 16, 2026
DOCKET	25-cv-00049
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. §§ 405(g) and 1383(c) (3) of the Commissioner's final decision denying Social Security Disability Insurance and Supplemental Security Income benefits.
STANDARD OF REVIEW	The Court reviews legal issues de novo or plenary and reviews the ALJ's factual findings for substantial evidence. The Court must review the record as a whole, including evidence that detracts from the ALJ's decision, but may not substitute its judgment for the agency's where substantial evidence supports the findings.
PRECEDENTIAL VALUE	unpublished
PARTIES	Brian R. v. Commissioner of Social Security

TOPICS

- judicial review of agency action
- administrative law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the ALJ erred by finding Plaintiff's neuropathy and obstructive sleep apnea non-severe at step two.
2. Whether the ALJ failed to account for alleged limitations from neuropathy and obstructive sleep apnea in the residual functional capacity assessment.
3. Whether the ALJ improperly evaluated the medical opinions of Drs. Blank, Lesneski, Atlas, and David.

HOLDINGS

1. The ALJ permissibly found that Plaintiff's neuropathy and obstructive sleep apnea were not severe impairments because the record did not establish persistent, significant functional limitations supported by objective evidence.
2. The ALJ adequately considered Plaintiff's medically determinable impairments, including non-severe impairments, and was not required to include limitations that were not credibly established by the record.
3. The ALJ adequately evaluated and explained the persuasiveness of the opinions of Drs. Blank, Lesneski, Atlas, and David, and substantial evidence supported the conclusions to discount or partially credit those opinions.

KEY QUOTATIONS

"The presence of evidence in the record that supports a contrary conclusion does not undermine the Commissioner's decision so long as the record provides substantial support for that decision." (AR 23)

"At the same time, however, 'the ALJ need only include in the RFC those limitations which he finds to be credible.'" (AR 22-23)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning January 18, 2018, primarily based on a work-related back injury, lumbar degenerative disc disease and stenosis, upper-extremity symptoms, neuropathy, and fatigue associated with obstructive sleep apnea. He had worked for approximately nineteen years as a certified automobile technician and later operated a hot dog cart part-time, largely while seated. Although the record contained complaints of pain, numbness, fatigue, and functional limitations, examinations generally showed normal gait, full strength, and largely intact neurological function, and Plaintiff reported various daily activities. The ALJ found lumbar degenerative disc disease severe but found neuropathy, sleep apnea, other physical conditions, and mental impairments non-severe, assessed a full range of light work, and found that Plaintiff could perform other work existing in significant numbers.

PROCEDURAL HISTORY

Plaintiff's applications were initially denied and denied again on reconsideration. Following a hearing, an ALJ issued a decision finding Plaintiff not disabled. The Appeals Council denied review, making the ALJ's decision the Commissioner's final decision. The District Court affirmed the Commissioner's decision.

DISPOSITION

affirmed

CASES CITED

- Knepp v. Apfel, 204 F.3d 78, 83 (3d Cir. 2000)
- Sykes v. Apfel, 228 F.3d 259, 262 (3d Cir. 2000)
- Biestek v. Berryhill, 587 U.S. 97, 102-03 (2019)
- Bailey v. Commissioner of Social Security, 354 F. App'x 613, 616 (3d Cir. 2009)
- Hunter Douglas, Inc. v. N.L.R.B., 804 F.2d 808, 812 (3d Cir. 1986)
- Fargnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001)
- Malloy v. Commissioner of Social Security, 306 F. App'x 761, 764 (3d Cir. 2009)
- Kent v. Schweiker, 710 F.2d 110, 114 (3d Cir. 1983)
- K.K. ex rel. K.S. v. Commissioner of Social Security, No. 17-2309, 2018 WL 1509091, at *4 (D.N.J. Mar. 27, 2018)
- Schonewolf v. Callahan, 972 F. Supp. 277, 284 (D.N.J. 1997)
- Wallace v. Secretary of Health & Human Services, 722 F.2d 1150, 1153 (3d Cir. 1983)
- Jones v. Barnhart, 364 F.3d 501, 505 (3d Cir. 2004)
- Hess v. Commissioner of Social Security, 931 F.3d 198, 201-02 (3d Cir. 2019)
- Bowen v. Yuckert, 482 U.S. 137, 146 (1987)
- McCrea v. Commissioner of Social Security, 370 F.3d 357, 360 (3d Cir. 2004)
- Salles v. Commissioner of Social Security, 229 F. App'x 140, 145 n.2 (3d Cir. 2007)
- Chandler v. Commissioner of Social Security, 667 F.3d 356, 363 (3d Cir. 2011)
- Horodenski v. Commissioner of Social Security, 215 F. App'x 183, 189 (3d Cir. 2007)
- Jeffrey B. v. Commissioner of Social Security, No. 24-1812, 2025 WL 705727, at *6 (D.N.J. Mar. 5, 2025)
- Frampton v. Astrue, 405 F. App'x 112, 113 (9th Cir. 2010)
- Danita F. v. Commissioner of Social Security, No. 20-13285, 2022 WL 1165724, at *7 (D.N.J. Apr. 20, 2022)
- Santiago v. Barnhart, No. 02-4506, 2006 WL 8449259, at *4 (D.N.J. Aug. 8, 2006), aff'd sub nom. Santiago v. Commissioner of Social Security, 273 F. App'x 211 (3d Cir. 2008)
- Cotter v. Harris, 642 F.2d 700, 705 (3d Cir. 1981)
- L. L. Y. v. Commissioner of Social Security, No. 22-1710, 2023 WL 1883348, at *4 (D.N.J. Feb. 9, 2023)
- Brown v. Astrue, 649 F.3d 193, 196-97 (3d Cir. 2011)
- Plummer v. Apfel, 186 F.3d 422, 429 (3d Cir. 1999)
- Jaclyn G. v. Commissioner of Social Security, No. 21-11101, 2022 WL 2116866, at *6 (D.N.J. June 13, 2022)

- *Cotter v. Harris*, 650 F.2d 481, 482 (3d Cir. 1981)
- *Jones v. Sullivan*, 954 F.2d 125, 129 (3d Cir. 1991)
- *Mason v. Shalala*, 994 F.2d 1058, 1065 (3d Cir. 1993)
- *Coria v. Heckler*, 750 F.2d 245, 247 (3d Cir. 1984)

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