

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Malcolm S. v. Frank Bisignano

No. 1:25-cv-00038-JMR · No. 1:25-cv-00038-JMR · Decided March 24, 2026

SUMMARY

The United States District Court for the District of New Mexico grants Plaintiff’s motion to reverse and remand a Social Security disability decision. The court holds that the administrative law judge inadequately assessed the opinions of three treating providers, particularly regarding Plaintiff’s limitations in standing, walking, sitting, and work-related functioning. The court remands for further proceedings and does not reach Plaintiff’s argument concerning whether his work constituted a trial work period.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Jennifer M. Rozzoni
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 24, 2026
DOCKET	1:25-cv-00038-JMR
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Commissioner's final decision denying disability benefits. The court granted Plaintiff's motion to reverse and remand and remanded for further administrative proceedings.
STANDARD OF REVIEW	The court reviews whether the Commissioner's final decision is supported by substantial evidence and whether the correct legal standards were applied. The court may not reweigh the evidence or substitute its judgment for the Commissioner's, but must review the record as a whole, including evidence that detracts from the ALJ's findings.
PRECEDENTIAL VALUE	unpublished
PARTIES	Malcolm S. v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

judicial review of agency action

agency adjudication

administrative law

PRACTICE AREAS

Social Security disability benefits

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ adequately evaluated and articulated the persuasiveness of the opinions of treating providers Bhalachandra Kulkarni, Tyler Owens, and Amanda Renfro under the applicable Social Security regulations.
2. Whether the ALJ adequately explained the rejection of the providers' limitations concerning sitting, standing, and walking.
3. Whether the ALJ adequately explained the rejection of limitations attributed to pain and fatigue, including limitations on attendance, concentration, work pace, and workplace interaction.
4. Whether the ALJ was required to explain the conflict between the providers' less-than-occasional postural limitations and the RFC finding that Plaintiff could occasionally kneel, stoop, crouch, and crawl.

HOLDINGS

1. An ALJ must articulate how persuasive each medical opinion is and must explain consideration of the supportability and consistency factors; conclusory statements that an opinion is inconsistent with treatment records or work activity are legally insufficient.
2. The ALJ erred by rejecting the treating providers' limitations on Plaintiff's abilities to sit, stand, and walk without identifying and analyzing supporting record evidence.
3. The ALJ erred by treating limitations caused by pain and fatigue as psychological limitations and rejecting them solely by reference to mental-status examinations and work activity without explanation.
4. When an RFC assessment conflicts with a medical-source opinion, the ALJ must explain why the opinion was not adopted, including when the ALJ rejects less-than-occasional limitations in kneeling, stooping, crouching, and crawling in favor of occasional limitations.

KEY QUOTATIONS

“The failure to apply the correct legal standard or to provide this court with a sufficient basis to determine that appropriate legal principles have been followed is grounds for reversal.”

“The Court remands so that the ALJ can remedy these errors.”

“It is axiomatic that the Commissioner may not provide reasoning the ALJ did not provide.”

“If the RFC assessment conflicts with an opinion from a medical source, the adjudicator must explain why the opinion was not adopted.”

FACTUAL BACKGROUND

Plaintiff alleged disability based principally on musculoskeletal impairments, including lumbar spine conditions, osteoarthritis, rheumatoid arthritis, obesity, and injuries affecting his shoulder and other joints. The ALJ found that Plaintiff could perform light work with additional postural and environmental limitations and denied benefits at step five based on the existence of other work. Plaintiff's treating providers issued opinions describing substantially greater limitations in sitting, standing, walking, postural activities, attendance, concentration, and work pace. Plaintiff also worked as a law-firm mail runner under modified conditions, including position changes, additional breaks, lighter duties, and assistance.

PROCEDURAL HISTORY

Plaintiff applied for Disability Insurance Benefits and Supplemental Security Income, received an unfavorable ALJ decision, and obtained Appeals Council review denial. In a prior federal action, the court remanded because the ALJ had improperly assessed a medical-source opinion. On remand, the ALJ again denied benefits, and Plaintiff filed this second appeal. The parties consented to final judgment by a magistrate judge.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must conduct further proceedings consistent with the opinion, including adequately assessing the opinions of Dr. Kulkarni, PA-C Owens, and NP Renfro and explaining the treatment of their limitations concerning sitting, standing, walking, pain, fatigue, attendance, concentration, work pace, interaction, kneeling, stooping, crouching, and crawling. The court did not decide Plaintiff's trial-work-period argument because it could be affected by the ALJ's treatment of the case on remand.

CASES CITED

- United States v. Dillard, 795 F.3d 1191, 1205-06 (10th Cir. 2015)
- Maes v. Astrue, 522 F.3d 1093, 1096 (10th Cir. 2008)
- Langley v. Barnhart, 373 F.3d 1116, 1118 (10th Cir. 2004)
- Jensen v. Barnhart, 436 F.3d 1163, 1165 (10th Cir. 2005)
- Flaherty v. Astrue, 515 F.3d 1067, 1070 (10th Cir. 2007)
- Grogan v. Barnhart, 399 F.3d 1257, 1260-62 (10th Cir. 2005)
- Lax v. Astrue, 489 F.3d 1080, 1084 (10th Cir. 2007)
- Zoltanski v. F.A.A., 372 F.3d 1195, 1200 (10th Cir. 2004)
- Bowen v. Yuckert, 482 U.S. 137, 140 (1987)
- Zhu v. Commissioner, SSA, No. 20-3180, 2021 WL 2794533, at *6 (10th Cir. July 6, 2021)
- Musgrave v. Sullivan, 966 F.2d 1371, 1374 (10th Cir. 1992)
- Zambrano v. Kijakazi, No. 20cv1356 KRS, 2022 WL 1746765, at *5 (D.N.M. May 31, 2022)
- Frazer v. Kijakazi, No. 20cv1147 GBW, 2022 WL 682661, at *6 (D.N.M. Mar. 8, 2022)
- Klein v. Kijakazi, No. 20cv1199 LF, 2022 WL 2827582, at *7 (D.N.M. July 20, 2022)

- Robinson v. Barnhart, 366 F.3d 1078, 1084 (10th Cir. 2004)
- Haga v. Astrue, 482 F.3d 1205, 1207 (10th Cir. 2007)
- Watkins v. Barnhart, 350 F.3d 1297, 1299 (10th Cir. 2003)
- Benson v. Saul, No. 19-CV-0457 SMV, 2020 WL 3448046, at *5 (D.N.M. June 24, 2020)
- Salazar v. Kijakazi, No. CV 21-0256 KK, 2022 WL 17266612, at *8 (D.N.M. Nov. 29, 2022)
- Evans v. Colvin, 630 F. App'x 731, 735-36 (10th Cir. 2015)

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