

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Dina W. v. Commissioner of Social Security

No. 1:24-cv-1128 (DJS) (N.D.N.Y. Mar. 20, 2026) · No. 1:24-cv-1128 (DJS) · Decided March 20, 2026

SUMMARY

The court reviewed the Commissioner of Social Security’s denial of Dina W.’s application for supplemental security income under 42 U.S.C. § 405(g). The court rejected challenges concerning the evaluation of Plaintiff’s mental impairments, medical opinions, and subjective symptoms, finding that the administrative law judge applied the proper standards and that the decision was supported by substantial evidence. Plaintiff’s motion for judgment on the pleadings was denied, and Defendant’s motion was granted.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Daniel J. Stewart
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	March 20, 2026
DOCKET	1:24-cv-1128 (DJS)
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying supplemental security income. The parties cross-moved for judgment on the pleadings, and the matter was decided by a United States Magistrate Judge exercising full jurisdiction by consent.
STANDARD OF REVIEW	The court reviewed the Commissioner's decision to determine whether the correct legal standards were applied and whether the decision was supported by substantial evidence. The court could not conduct a de novo disability determination, reweigh the evidence, or substitute its judgment for that of the Commissioner.
PRECEDENTIAL VALUE	Unknown; district-court memorandum decision and order with no reporter citation.
PARTIES	Dina W. v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

agency adjudication

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ erred by finding that Plaintiff did not have a severe mental impairment.
2. Whether the ALJ applied the required regulatory standards when evaluating medical opinions and administrative medical findings, including whether the ALJ improperly cherry-picked the evidence or substituted his own medical judgment.
3. Whether the ALJ improperly evaluated Plaintiff's subjective complaints and daily activities, including whether the ALJ was required to expressly discuss the statement of Plaintiff's home health aide.

HOLDINGS

1. The ALJ did not commit reversible error in finding that Plaintiff did not have a severe mental impairment. The opinions of the consultative examiners could constitute substantial evidence, their lack of documented review of Plaintiff's complete medical records did not render them deficient, the characterization of treatment as conservative was permissible, and the record supported the ALJ's understanding of Plaintiff's use of Effexor.
2. The ALJ properly evaluated the medical opinions and did not improperly cherry-pick evidence or substitute his own judgment for competent medical opinion.
3. The ALJ properly evaluated Plaintiff's subjective complaints and daily activities, and the resulting credibility assessment was supported by substantial evidence and was not patently unreasonable.
4. The ALJ was required to consider the third-party statement but was not required to expressly discuss or cite it. Plaintiff did not establish that the ALJ failed to consider the statement.

KEY QUOTATIONS

"Rather, the Commissioner's determination will be reversed only if the correct legal standards were not applied, or it was not supported by substantial evidence." (p. 4)

"Where evidence is deemed susceptible to more than one rational interpretation, the Commissioner's conclusion must be upheld." (p. 5)

"In other words, this Court must afford the Commissioner's determination considerable deference and may not substitute 'its own judgment for that of the [Commissioner], even if it might justifiably have reached a different result upon a de novo review.'" (p. 5)

"Thus, in order to show that evidence was considered, an ALJ need not discuss or cite every piece of evidence." (p. 20)

FACTUAL BACKGROUND

Plaintiff, born in 1972, alleged disability based on anxiety, bulging discs, PTSD, and stage 1 breast cancer. The ALJ found severe impairments consisting of left-breast cancer status post lumpectomy, left-breast lymphedema, a cervical disc disorder, and fibromyalgia, but found no severe mental impairment. The ALJ determined that Plaintiff retained the residual functional capacity for a restricted range of light work and that jobs existed in significant numbers in the national economy that she could perform.

PROCEDURAL HISTORY

Plaintiff applied for supplemental security income on February 22, 2022, alleging disability beginning July 1, 2021. The application was denied initially and on reconsideration. After a June 21, 2023 hearing, the ALJ found Plaintiff not disabled on October 10, 2023; the Appeals Council denied review on July 24, 2024. The district court denied Plaintiff's motion, granted the Commissioner's motion, affirmed the denial of benefits, and dismissed the complaint.

DISPOSITION

affirmed

CASES CITED

- Wagner v. Secretary of Health & Human Services, 906 F.2d 856, 860 (2d Cir. 1990)
- Johnson v. Bowen, 817 F.2d 983, 986 (2d Cir. 1987)
- Grey v. Heckler, 721 F.2d 41, 46 (2d Cir. 1983)
- Marcus v. Califano, 615 F.2d 23, 27 (2d Cir. 1979)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Rutherford v. Schweiker, 685 F.2d 60, 62 (2d Cir. 1982)
- Williams v. Bowen, 859 F.2d 255, 258 (2d Cir. 1988)
- Rosado v. Sullivan, 805 F. Supp. 147, 153 (S.D.N.Y. 1992)
- Valente v. Secretary of Health & Human Services, 733 F.2d 1037, 1041 (2d Cir. 1984)
- Bowen v. Yuckert, 482 U.S. 137, 140-42 (1987)
- Berry v. Schweiker, 675 F.2d 464, 467 (2d Cir. 1982)
- McIntyre v. Colvin, 758 F.3d 146, 150 (2d Cir. 2014)
- Barnhart v. Thompson, 540 U.S. 20, 24 (2003)
- Wettlaufer v. Colvin, 203 F. Supp. 3d 266, 279 (W.D.N.Y. 2016)
- Diaz v. Shalala, 59 F.3d 307, 315 (2d Cir. 1995)
- Mongeur v. Heckler, 722 F.2d 1033, 1039 (2d Cir. 1983)
- Keith L. v. Commissioner of Social Security, 2021 WL 2809551, at *4 (W.D.N.Y. July 6, 2021)
- Thomas v. Commissioner of Social Security Administration, 479 F. Supp. 3d 66, 89 (S.D.N.Y. 2020)
- Wendy L. K. v. Commissioner of Social Security, 2025 WL 1089519, at *5 (N.D.N.Y. Jan. 27, 2025)

- Casey Patricia S. v. Saul, 2019 WL 6134414, at *7 (N.D.N.Y. Nov. 19, 2019)
- Donald P. v. Commissioner of Social Security, 2023 WL 9284292, at *4 (N.D.N.Y. Dec. 20, 2023)
- Batease v. Berryhill, 2017 WL 1102659, at *8 (D. Vt. Mar. 24, 2017)
- Michael M. v. Commissioner of Social Security, 2022 WL 22210127, at *8 (N.D.N.Y. Sept. 26, 2022)
- Alan C. v. Commissioner of Social Security, 2024 WL 3715774, at *6 (N.D.N.Y. Aug. 8, 2024)
- Kevin A. R. v. Kijakazi, 2022 WL 18587763, at *11 (N.D.N.Y. Nov. 9, 2022)
- Brault v. Social Security Administration, Commissioner, 683 F.3d 443, 448 (2d Cir. 2012)
- Michelle F. o/b/o I.M.U. v. Commissioner of Social Security, No. 21-cv-0350-DEP, 2022 WL 4482756 (N.D.N.Y. Sept. 27, 2022)
- Wendy K. v. Commissioner of Social Security, 2025 WL 679328 (N.D.N.Y. Mar. 4, 2025)
- 2024 WL 166840 (N.D.N.Y. Jan. 16, 2024)
- 2023 WL 196049 (N.D.N.Y. Jan. 17, 2023)

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