

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Erica B. v. Leland Dudek, Acting Commissioner of Social Security
Administration

Erica B. v. Dudek · No. 2:23-cv-10823-SP · Decided March 30, 2025

SUMMARY

The United States District Court for the Central District of California reviewed the denial of Erica B.’s applications for disability insurance benefits and supplemental security income. The court held that the ALJ properly evaluated her subjective symptom testimony based on inconsistencies with the objective medical evidence and her activities of daily living. The court affirmed the Commissioner’s decision and dismissed the complaint with prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Sheri Pym
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 30, 2025
DOCKET	2:23-cv-10823-SP
DISPOSITION	affirmed
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying applications for disability insurance benefits and supplemental security income.
STANDARD OF REVIEW	The court reviews the Commissioner's decision for legal error and substantial evidence, considering the administrative record as a whole and weighing both supporting and detracting evidence. The court may not substitute its judgment where the evidence reasonably supports either affirming or reversing the ALJ.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; precedential status unknown
PARTIES	Erica B. v. Leland Dudek, Acting Commissioner of Social Security Administration

TOPICS

judicial review of agency action

administrative law

ada / disability

PRACTICE AREAS

Social Security disability

administrative law

federal court judicial review

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated plaintiff's subjective symptom testimony concerning the severity and functional effects of her mental impairments.
2. Whether the ALJ provided legally sufficient reasons supported by substantial evidence for discounting plaintiff's testimony.

HOLDINGS

1. The ALJ properly discounted plaintiff's testimony because it was inconsistent with the objective medical evidence and with her activities of daily living, and these reasons were specific, clear, convincing, and supported by substantial evidence.
2. The ALJ's treatment-based rationale was not a clear and convincing reason to discount plaintiff's testimony because the record did not establish that her treatment was inconsistent with her complaints and did not adequately account for possible reasons for medication noncompliance.

KEY QUOTATIONS

"Substantial evidence is more than a mere scintilla, but less than a preponderance." (opinion at 3)

"To reject the claimant's subjective symptom statements at step two, the ALJ must provide "specific, clear, and convincing" reasons, supported by substantial evidence in the record, for doing so." (opinion at 4)

"The Ninth Circuit and district courts alike have recognized that prescription of psychiatric medication for mental health impairments . . . is not indicative of conservative treatment." (opinion at 5)

"we do not punish the mentally ill for occasionally going off their medication when the record affords compelling reason to view such departures from prescribed treatment as part of claimant's underlying mental afflictions." (opinion at 6)

"the mere fact a [plaintiff] has carried on certain daily activities, such as grocery shopping, driving a car, or limited walking for exercise, does not in any way detract from her credibility as to her overall disability." (opinion at 8)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning February 28, 2018, based primarily on bipolar disorder, major depressive disorder, anxiety, and attention-related limitations. She testified that she had difficulty focusing, articulating thoughts, following instructions, performing simple tasks, and being in public. The record also showed generally normal mental-status findings, including intact judgment and insight, normal speech, coherent thought processes,

and the ability to perform numerous daily activities, including caring for children, driving, shopping, managing finances, preparing simple meals, and attending public activities.

PROCEDURAL HISTORY

Plaintiff applied for disability insurance benefits and supplemental security income, and the Commissioner denied the applications initially and on reconsideration. After an administrative hearing, the ALJ denied benefits on May 10, 2023. The Appeals Council denied review, making the ALJ's decision the Commissioner's final decision. Plaintiff then sought review in the district court, which affirmed and dismissed the complaint with prejudice.

DISPOSITION

affirmed

CASES CITED

- Mayes v. Massanari, 276 F.3d 453, 458-59 (9th Cir. 2001) (as amended)
- Aukland v. Massanari, 257 F.3d 1033, 1035 (9th Cir. 2001)
- Tonapetyan v. Halter, 242 F.3d 1144, 1147 (9th Cir. 2001)
- Reddick v. Chater, 157 F.3d 715, 720 (9th Cir. 1998)
- Trevizo v. Berryhill, 871 F.3d 664, 678 n.5 (9th Cir. 2017)
- Christine G. v. Saul, 402 F. Supp. 3d 913, 921 (C.D. Cal. 2019)
- Smolen v. Chater, 80 F.3d 1273, 1284 (9th Cir. 1996)
- Burrell v. Colvin, 775 F.3d 1133, 1136-37 (9th Cir. 2014)
- Parra v. Astrue, 481 F.3d 742, 751 (9th Cir. 2007)
- Tammy L. O. v. Commissioner, 2018 WL 3090196, at *13 (D. Or. June 20, 2018)
- Joseph S. v. O'Malley, 2024 WL 418632, at *13 (S.D. Cal. Feb. 5, 2024)
- Drawn v. Berryhill, 728 F. App'x 637, 642 (9th Cir. 2018)
- Carmickle v. Commissioner, 533 F.3d 1155, 1162 (9th Cir. 2008)
- Orn v. Astrue, 495 F.3d 625, 638-39 (9th Cir. 2007)
- Dejalenda S. v. O'Malley, 2024 WL 2293010, at *7 (E.D. Wash. May 21, 2024)
- Garrison v. Colvin, 759 F.3d 995, 1018 n.24 (9th Cir. 2014)
- Smartt v. Kijakazi, 53 F.4th 489, 498 (9th Cir. 2022)
- Batson v. Commissioner of Social Security Administration, 359 F.3d 1190, 1197 (9th Cir. 2004)
- Fair v. Bowen, 885 F.2d 597, 603 (9th Cir. 1989)
- Vertigan v. Halter, 260 F.3d 1044, 1050 (9th Cir. 2001)