

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Joshua J. v. Frank Bisignano, Commissioner of Social Security

Joshua J. v. Bisignano, Case No. 24cv1978-LR (S.D. Cal. Aug. 22, 2025) · No. 24cv1978-LR · Decided August 22, 2025

SUMMARY

The United States District Court for the Southern District of California reviews a Social Security disability benefits denial under 42 U.S.C. § 405(g). The court rejects the plaintiff’s challenges to the ALJ’s residual functional capacity assessment and evaluation of subjective symptom testimony, and affirms the Commissioner’s final decision.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Lupe Rodriguez, Jr.
JURISDICTION	United States District Court for the Southern District of California
DECIDED	August 22, 2025
DOCKET	24cv1978-LR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner of Social Security's final decision denying Title II disability insurance benefits. The parties filed a joint motion for judicial review.
STANDARD OF REVIEW	The court reviews the Commissioner's decision to determine whether it is supported by substantial evidence and free of legal error. The court must assess the entire record but may not reweigh the evidence or substitute its judgment for the ALJ's; when the evidence permits more than one rational interpretation, the court must uphold the ALJ's decision. For subjective symptom testimony, absent malingering, the ALJ must provide specific, clear, and convincing reasons supported by substantial evidence.
PRECEDENTIAL VALUE	unpublished
PARTIES	Joshua J. v. Frank Bisignano, Commissioner of Social Security

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether substantial evidence supported the ALJ's residual functional capacity determination, including the limitation to simple, routine tasks.
2. Whether the ALJ provided specific, clear, and convincing reasons supported by substantial evidence for discounting Plaintiff's subjective symptom testimony.

HOLDINGS

1. The ALJ's residual functional capacity determination was supported by substantial evidence and did not contain harmful legal error. The ALJ was not required to obtain or identify a single medical opinion that precisely matched the limitation to simple, routine tasks.
2. The ALJ provided specific, clear, and convincing reasons supported by substantial evidence for discounting Plaintiff's subjective symptom testimony, including evidence that treatment improved his symptoms and that his reported daily activities conflicted with his alleged level of limitation.

KEY QUOTATIONS

"the denial of benefits will not be disturbed if it is supported by substantial evidence in the record and contains no legal error." (at 6)

"The RFC is not a medical opinion, but a legal decision that is expressly reserved for the Commissioner." (at 10)

"the ALJ may reject the claimant's statements about the severity of the claimant's symptoms 'only by offering specific, clear and convincing reasons for doing so.'" (at 18)

"The ALJ therefore provided clear and convincing reasons, supported by substantial evidence, to discount Plaintiff's subjective symptom testimony." (at 24)

FACTUAL BACKGROUND

Plaintiff alleged disability based on degenerative conditions affecting his back, shoulders, and neck, seizure disorder, migraine headaches, dyslexic learning disorder, obesity, and related symptoms. The ALJ determined that Plaintiff could perform light work with specified exertional, environmental, and mental limitations, including work involving simple, routine tasks, but could not perform his past relevant work. Based on vocational-expert testimony, the ALJ found that Plaintiff could perform jobs existing in significant numbers in the national economy, including cashier II, marker, and assembler.

PROCEDURAL HISTORY

Plaintiff applied for disability insurance benefits alleging disability beginning July 22, 2016. After an initial denial and denial on reconsideration, an ALJ denied benefits on February 3, 2021; the Appeals Council remanded because of technical difficulties with the hearing recording. Following a second hearing, the ALJ again denied benefits on May 20, 2024, and the Appeals Council denied review on June 25, 2024, making the ALJ's decision final. The district court affirmed the Commissioner's decision and concluded the litigation.

DISPOSITION

affirmed

CASES CITED

- Buck v. Berryhill, 869 F.3d 1040, 1048 (9th Cir. 2017)
- Revels v. Berryhill, 874 F.3d 648, 654 (9th Cir. 2017)
- Desrosiers v. Secretary of Health & Human Services, 846 F.2d 573, 576 (9th Cir. 1988)
- Ahearn v. Saul, 988 F.3d 1111, 1115-16 (9th Cir. 2021)
- Attmore v. Colvin, 827 F.3d 872, 875 (9th Cir. 2016)
- Villasenor v. Kijakazi, Case No. 1:21-cv-00548-SKO, 2022 WL 18027854, at *1 n.4 (E.D. Cal. Dec. 30, 2022)
- Terrazas v. Astrue, No. 1:10-cv-00113-SMS, 2011 WL 1239814, at *3 n.4 (E.D. Cal. Mar. 29, 2011)
- Quiroz v. Kijakazi, No. 1:22-cv-01215-GSA, 2023 WL 7305263, at *9 (E.D. Cal. Nov. 6, 2023)
- Peters v. Colvin, No. CV 13-8907-JPR, 2015 WL 349421, at *6 n.8 (C.D. Cal. Jan. 23, 2015)
- Kestner v. Colvin, No. C 13-04747 LB, 2014 WL 5517787, at *3 n.7 (N.D. Cal. Oct. 31, 2014)
- Squier v. Berryhill, Civil No. 6:15-cv-01243-JE, 2017 WL 1250995, at *4 n.2 (D. Or. Mar. 24, 2017)
- Turner v. Berryhill, Case No. 2:16-cv-02932-APG-GWF, 2019 WL 5680401, at *9 n.3 (D. Nev. July 29, 2019)
- Valencia v. Heckler, 751 F.2d 1082, 1085 (9th Cir. 1985)
- Vertigan v. Halter, 260 F.3d 1044, 1049 (9th Cir. 2001)
- Benton v. Barnhart, 331 F.3d 1030, 1040 (9th Cir. 2003)
- Tommasetti v. Astrue, 533 F.3d 1035, 1038, 1041 (9th Cir. 2008)
- Morgan v. Commissioner of Social Security Administration, 169 F.3d 595, 603 (9th Cir. 1999)
- Bray v. Commissioner of Social Security Administration, 554 F.3d 1219, 1228 (9th Cir. 2009)
- Valentine v. Commissioner of Social Security Administration, 574 F.3d 685, 690 (9th Cir. 2009)
- Johnson v. Shalala, 60 F.3d 1428, 1436 n.9 (9th Cir. 1995)
- Nacoste-Harris v. Berryhill, 711 F. App'x 378, 380 (9th Cir. 2017)
- Ford v. Saul, 950 F.3d 1141, 1153-54 (9th Cir. 2020)
- Lambert v. Saul, 980 F.3d 1266, 1277 (9th Cir. 2020)
- Bufkin v. Saul, 836 F. App'x 578, 579 (9th Cir. 2021)

- *Magallanes v. Bowen*, 881 F.2d 747, 755 (9th Cir. 1989)
- *Althoff-Gromer v. Commissioner of Social Security*, No. 2:18-cv-00082-KJN, 2019 WL 1316710, at *13 (E.D. Cal. Mar. 22, 2019)
- *Turner v. Commissioner of Social Security*, 613 F.3d 1217, 1222-23 (9th Cir. 2010)
- *Treichler v. Commissioner of Social Security Administration*, 775 F.3d 1090, 1102-03 (9th Cir. 2014)
- *James H. v. Dudek*, Case No. 2:24-cv-05631-GJS, 2025 WL 1202223, at *4-5 (C.D. Cal. Apr. 25, 2025)
- *Shinseki v. Sanders*, 556 U.S. 396, 409 (2009)
- *Connett v. Barnhart*, 340 F.3d 871, 874 (9th Cir. 2003)
- *Burns v. Bisignano*, No. 24-4199, 2025 WL 1937448, at *2 (9th Cir. July 15, 2025)
- *Robbins v. Social Security Administration*, 466 F.3d 880, 885 (9th Cir. 2006)
- *Trevizo v. Berryhill*, 871 F.3d 664, 678 (9th Cir. 2017)
- *Garrison v. Colvin*, 759 F.3d 995, 1014-15 (9th Cir. 2014)
- *Brown-Hunter v. Colvin*, 806 F.3d 487, 489, 493 (9th Cir. 2015)
- *Bunnell v. Colvin*, 775 F.3d 1133, 1139 (9th Cir. 2014)
- *Orteza v. Shalala*, 50 F.3d 748, 750 (9th Cir. 1995)
- *Wellington v. Berryhill*, 878 F.3d 867, 876 (9th Cir. 2017)
- *Warre v. Commissioner of Social Security Administration*, 439 F.3d 1001, 1006 (9th Cir. 2006)
- *Orn v. Astrue*, 495 F.3d 625, 639 (9th Cir. 2007)
- *Batson v. Commissioner of Social Security Administration*, 359 F.3d 1190, 1198 (9th Cir. 2004)
- *Andrews v. Shalala*, 53 F.3d 1035, 1041 (9th Cir. 1995)
- *Thomas v. Barnhart*, 278 F.3d 947, 958-59 (9th Cir. 2002)
- *Steele v. Berryhill*, Case No. 3:17-cv-01923-LAB (RNB), 2018 WL 2718033, at *3 (S.D. Cal. June 6, 2018)
- *Scolari v. Kijakazi*, Case No. 21-cv-1250-BLM, 2022 WL 6785752, at *4-5 (S.D. Cal. Oct. 11, 2022)
- *Stearns v. O'Malley*, No. 23-3875, 2024 WL 4814564, at *1 (9th Cir. Nov. 18, 2024)
- *Mahnaz M. v. Kijakazi*, Case No. 22-cv-1729-BGS, 2024 WL 21794, at *6 (S.D. Cal. Jan. 2, 2024)
- *Heckler v. Ringer*, 466 U.S. 602, 605 (1984)