

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA

Breon M. v. Frank Bisignano, Commissioner of Social Security

Breon M. v. Bisignano, No. 1:25CV188 (M.D.N.C. Mar. 31, 2026) · No. 1:25CV188 · Decided March 31, 2026

SUMMARY

The United States District Court for the Middle District of North Carolina reviewed the denial of Breon M.'s applications for Disability Insurance Benefits and Supplemental Security Income. The court held that the Administrative Law Judge failed to adequately analyze and explain the plaintiff's ability to sit, particularly in light of conflicting medical and vocational evidence. The court reversed the Commissioner's decision and remanded the matter under sentence four of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the Middle District of North Carolina
WRITING FOR THE COURT	Joi Elizabeth Peake
JURISDICTION	United States District Court for the Middle District of North Carolina
DECIDED	March 31, 2026
DOCKET	1:25CV188
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under sections 205(g) and 1631(c)(3) of the Social Security Act of the Commissioner's final decision denying Disability Insurance Benefits and Supplemental Security Income. The parties filed cross-motions for judgment on the administrative record.
STANDARD OF REVIEW	The court reviews the Commissioner's decision to determine whether the ALJ applied the correct legal standards and whether the factual findings are supported by substantial evidence. The court may not try the case de novo, reweigh conflicting evidence, make credibility determinations, or substitute its judgment for that of the ALJ.
PRECEDENTIAL VALUE	unpublished
PARTIES	Breon M. v. Frank Bisignano, Commissioner of Social Security

TOPICS

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the ALJ adequately assessed Plaintiff's ability to sit on a sustained basis when formulating the residual functional capacity.
2. Whether the ALJ adequately explained the rejection of evidence and medical opinions supporting sitting limitations.
3. Whether the ALJ's failure to address contested sitting limitations was harmless when vocational-expert testimony indicated that a sit/stand option would render Plaintiff unemployable.

HOLDINGS

1. When a claimant's ability to sit is materially contested by contradictory evidence, the ALJ must separately analyze that function and explain, through a narrative discussion, how the evidence supports the resulting sitting limitation or lack thereof. The ALJ failed to do so here.
2. The ALJ's general references to the non-static nature of Plaintiff's symptoms and inconsistency with objective findings did not adequately explain the rejection of the sitting limitations reflected in the record.
3. The RFC error was harmful because the vocational experts testified that a sit/stand option or required position changes would eliminate the identified jobs and prevent full-time competitive employment.

KEY QUOTATIONS

"Thus, even considering all of the ALJ's analysis, including the general discussion regarding pain, the ALJ failed to adequately explain why, given the extensive opinion evidence that Plaintiff required sitting limitations, he failed to include any sitting limitation in the RFC assessment." (at 13-14)

"Because it is the duty of the ALJ, not the Court, to resolve these evidentiary issues in the first instance, this case requires remand." (at 14)

"IT IS THEREFORE ORDERED that the Commissioner's decision finding of no disability is REVERSED, and that the matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g)." (at 14)

FACTUAL BACKGROUND

Plaintiff alleged disabling back pain following a motor vehicle accident and consistently reported difficulty sitting for prolonged periods. The record included lumbar MRI findings, positive straight-leg-raising tests, treatment through orthopedic and pain-management providers, and multiple opinions recommending limitations on prolonged sitting or a sit/stand option. The ALJ found that Plaintiff could perform sedentary work and could sit without limitation, but vocational-expert testimony indicated that a need to alternate between sitting and standing would preclude full-time competitive employment.

PROCEDURAL HISTORY

Plaintiff applied for DIB and SSI, alleging disability beginning July 3, 2019. The claims were denied initially and on reconsideration. After two administrative hearings, the ALJ found Plaintiff not disabled, and the Appeals Council denied review on January 23, 2025, making the ALJ's decision the Commissioner's final decision. The district court reversed and remanded under sentence four of 42 U.S.C. § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must reconsider Plaintiff's residual functional capacity, specifically perform a material function-by-function analysis of Plaintiff's ability to sit, address the contradictory evidence and opinions concerning sitting limitations, and resolve the related vocational implications.

CASES CITED

- Hines v. Barnhart, 453 F.3d 559 (4th Cir. 2006)
- Frady v. Harris, 646 F.2d 143 (4th Cir. 1981)
- Oppenheim v. Finch, 495 F.2d 396 (4th Cir. 1974)
- Hancock v. Astrue, 667 F.3d 470 (4th Cir. 2012)
- Hunter v. Sullivan, 993 F.2d 31 (4th Cir. 1993)
- Richardson v. Perales, 402 U.S. 389 (1971)
- Mastro v. Apfel, 270 F.3d 171 (4th Cir. 2001)
- Craig v. Chater, 76 F.3d 585 (4th Cir. 1996)
- Hall v. Harris, 658 F.2d 260 (4th Cir. 1981)
- Bennett v. Sullivan, 917 F.2d 157 (4th Cir. 1990)
- Dowling v. Commissioner of Social Security Administration, 986 F.3d 377 (4th Cir. 2021)
- Monroe v. Colvin, 826 F.3d 176 (4th Cir. 2016)
- Woods v. Berryhill, 888 F.3d 686 (4th Cir. 2018)
- Mascio v. Colvin, 780 F.3d 632 (4th Cir. 2015)
- Cichocki v. Astrue, 729 F.3d 172 (2d Cir. 2013) (per curiam)

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