

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Marinex Restituyo v. Frank Bisignano, Commissioner of Social
Security

Restituyo · No. 4:24-CV-00724 · Decided November 26, 2025

SUMMARY

The United States District Court for the Middle District of Pennsylvania reviewed the Commissioner of Social Security’s denial of Marinex Restituyo’s claim for disability insurance benefits. The court held that substantial evidence supported the Administrative Law Judge’s residual functional capacity assessment and evaluation of medical opinions, including consideration of obesity and insomnia. The court affirmed the Commissioner’s decision.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Sean A. Camoni
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	November 26, 2025
DOCKET	4:24-CV-00724
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. §§ 405(g) and 1383(c) (3) of the Commissioner's final decision denying disability and disability insurance benefits. The parties consented to final disposition by a United States Magistrate Judge.
STANDARD OF REVIEW	The court reviewed the Commissioner's factual findings for substantial evidence and reviewed legal issues de novo or plenary. It could not reweigh the evidence or substitute its judgment for that of the ALJ, and reversal required evidence that not only supported a contrary conclusion but compelled it. The ALJ also had to articulate sufficient reasons to permit meaningful judicial review.
PRECEDENTIAL VALUE	unknown
PARTIES	Marinex Restituyo 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 assessment concerning the limitations caused by depression, anxiety, and fibromyalgia.
2. Whether the ALJ adequately considered limitations allegedly caused by obesity and insomnia.
3. Whether the ALJ properly evaluated the medical opinions of consultative examiner Dr. Austin and state-agency consultant Dr. Gavazzi.

HOLDINGS

1. The ALJ's residual functional capacity assessment was supported by substantial evidence because the ALJ considered the relevant treatment records, work activity, symptom evidence, and mental and physical findings, and adequately explained the reasons for discounting inconsistent evidence.
2. The ALJ adequately considered Restituyo's obesity at the RFC stage, and any error in initially finding obesity non-severe was harmless because the ALJ proceeded through the remaining steps and evaluated its alleged effects. The insomnia argument likewise did not warrant remand because Restituyo did not identify specific functional limitations attributable to it.
3. The ALJ reasonably assigned limited weight to portions of Dr. Austin's opinion concerning Restituyo's ability to interact with others because those portions were inconsistent with Dr. Austin's own records and with other evidence showing that Restituyo enjoyed working with clients.
4. The ALJ did not err by relying substantially on Dr. Gavazzi's state-agency opinion, and Restituyo failed to identify specific medical records that Dr. Gavazzi allegedly overlooked.

KEY QUOTATIONS

“the ‘intensity, persistence and limiting effects of [those] symptoms are not entirely consistent with the medical evidence.’” (Doc. 7-9 at 26)

“The ALJ—not treating or examining physicians or State agency consultants—must make the ultimate disability and RFC determinations.” (Doc. 7-9 at 31)

FACTUAL BACKGROUND

Restituyo alleged disability beginning December 1, 2013, with a date last insured of December 31, 2018. The ALJ found severe impairments of depression, anxiety, and fibromyalgia, but determined that her impairments did not meet or equal a listed impairment. The ALJ found that she could perform a restricted range of light work, could not perform past relevant work, but could perform jobs existing in significant numbers in the national

economy. The court relied on treatment records showing work as a nail technician, relatively stable physical and mental findings, and insufficient evidence of additional functional limitations from obesity or insomnia.

PROCEDURAL HISTORY

Restituyo applied for Title II disability and disability insurance benefits in 2016, and the Social Security Administration initially denied the claims. After administrative exhaustion, she filed an earlier civil action that was remanded by unopposed order for further evaluation of obesity, fibromyalgia, and residual functional capacity. Following a further hearing, the ALJ again found her not disabled on September 5, 2023, and the Appeals Council declined review. The court affirmed the Commissioner's final decision.

DISPOSITION

affirmed

CASES CITED

- Restituyo v. Saul, No. 20-2266
- Williams v. Sullivan, 970 F.2d 1178, 1181-82 (3d Cir. 1992)
- Bowen v. Yuckert, 482 U.S. 137, 146 n.5 (1987)
- Johnson v. Commissioner of Social Security, 529 F.3d 198, 200 (3d Cir. 2008)
- Ficca v. Astrue, 901 F. Supp. 2d 533, 536 (M.D. Pa. 2012)
- Biestek v. Berryhill, 587 U.S. 97, 102-03 (2019)
- Pierce v. Underwood, 487 U.S. 552, 565 (1988)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Mason v. Shalala, 994 F.2d 1058, 1064, 1066 (3d Cir. 1993)
- Consolo v. Federal Maritime Commission, 383 U.S. 607, 620 (1966)
- Leslie v. Barnhart, 304 F. Supp. 2d 623, 627 (M.D. Pa. 2003)
- Immigration & Naturalization Service v. Elias-Zacarias, 502 U.S. 478, 481 n.1 (1992)
- Arnold v. Colvin, No. 12-2417, 2014 WL 940205, at *1 (M.D. Pa. Mar. 11, 2014)
- Burton v. Schweiker, 512 F. Supp. 913, 914 (W.D. Pa. 1981)
- Wright v. Sullivan, 900 F.2d 675, 678 (3d Cir. 1990)
- Burnett v. Commissioner of Social Security, 220 F.3d 112, 119-20 (3d Cir. 2000)
- Hartranft v. Apfel, 181 F.3d 358, 359 n.1 (3d Cir. 1999)
- Diaz v. Commissioner of Social Security, 577 F.3d 500, 504-05 (3d Cir. 2009)
- McCrea v. Commissioner of Social Security, 370 F.3d 357, 360 (3d Cir. 2004)
- Rutherford v. Barnhart, 399 F.3d 546, 553 (3d Cir. 2005)
- Swank v. O'Malley, No. 23-1244, 2024 WL 4858586, at *10 (M.D. Pa. Nov. 21, 2024)
- Solberg v. O'Malley, No. 23-2639, 2024 WL 1943328, at *6 (E.D. Pa. Apr. 30, 2024)
- Zaborowski v. Commissioner of Social Security, 115 F.4th 637, 639-40 (3d Cir. 2024)

- United States v. Claxton, 766 F.3d 280, 307 (3d Cir. 2014)
- Hernandez-Nieves v. Kijakazi, No. 22-135, 2023 U.S. Dist. LEXIS 25179, at *24 (M.D. Pa. Feb. 14, 2023)

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