

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Jessica R.G. v. Commissioner of Social Security

No. 1:24-cv-571 (JGW) (W.D.N.Y. Mar. 5, 2026) · No. 1:24-cv-571 (JGW) · Decided March 5, 2026

SUMMARY

The United States District Court for the Western District of New York granted Jessica R.G.’s motion for judgment on the pleadings, denied the Commissioner’s cross-motion, and remanded the Social Security disability matter for further proceedings. The court held that the ALJ’s residual functional capacity finding included frequent handling and fingering limitations that were not presented in the vocational expert’s hypothetical, so the step-five determination was not supported by substantial evidence. The court also identified additional concerns for remand, including contradictory statements regarding the claimant’s disability status and the evaluation of her liver disease and mental limitations.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of New York                                                                                                                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | J. Gregory Wehrman                                                                                                                                                                                                                                                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the Western District of New York                                                                                                                                                                                                                                                                                                                                                   |
| DECIDED               | March 5, 2026                                                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 1:24-cv-571 (JGW)                                                                                                                                                                                                                                                                                                                                                                                                   |
| DISPOSITION           | remanded                                                                                                                                                                                                                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of supplemental security income. The parties filed cross-motions for judgment on the pleadings under Federal Rule of Civil Procedure 12(c).                                                                                                                                                                                  |
| STANDARD OF REVIEW    | The court reviews the Commissioner's final decision to determine whether it is supported by substantial evidence and based on the correct legal standard. The court reviews the whole record, including evidence detracting from the Commissioner's decision, and may not substitute its judgment where the administrative decision rests on adequate findings supported by evidence with rational probative force. |
| PRECEDENTIAL VALUE    | unpublished, nonprecedential district-court opinion                                                                                                                                                                                                                                                                                                                                                                 |
| PARTIES               | Jessica R.G. v. Commissioner of Social Security                                                                                                                                                                                                                                                                                                                                                                     |

## TOPICS

judicial review of agency action

administrative law

motion for judgment on the pleadings

civil procedure

remedies

## PRACTICE AREAS

Social Security disability

administrative law

civil procedure

## QUESTIONS PRESENTED

1. Whether the ALJ's step-five finding was supported by substantial evidence when the RFC included a frequent-handling-and-fingering limitation that was not included in the hypothetical presented to the vocational expert.
2. Whether the ALJ's contradictory statements at the hearing and in the written decision, restrictions on testimony, and treatment of post-December 2022 evidence required further proceedings.
3. Whether the ALJ adequately explained the mental restrictions included in the RFC despite finding only a mild paragraph-B limitation.
4. Whether the ALJ adequately considered all potentially applicable subsections of Listing 5.05 concerning chronic liver disease.

## HOLDINGS

1. The ALJ erred because the RFC included a frequent-handling-and-fingering limitation that was omitted from the hypothetical presented to the vocational expert. The vocational-expert testimony therefore could not constitute substantial evidence supporting the step-five finding.
2. Remand was warranted because the ALJ's statements at the hearing that Plaintiff would receive benefits conflicted with the later unfavorable written decision, and the ALJ's treatment of the December 2022 hospitalization and restriction of testimony prevented meaningful review of the reasoning.
3. On remand, the ALJ must clearly explain the evidentiary basis for any mental restrictions included in the RFC, particularly where the ALJ found only a mild paragraph-B limitation and stated that the restrictions were intended to prevent potential exacerbation.
4. The court did not decide whether Plaintiff met Listing 5.05(G), but stated that thorough consideration of all subsections of Listing 5.05 would be prudent on remand.

## KEY QUOTATIONS

*“so at least you know that at this point when you leave here today, you’re going to get put on benefits and it’s just a question of how far back going to April of 2021 do I feel that your medical records are sufficient to document, you know, whatever it is that you’ve been going through, physical and mental.”* (Tr. 69)

*“Thus, the ultimate RFC finding plainly does not match the hypothetical presented to the vocational expert.”* (Section III.A)

*“Accordingly, because the ALJ’s hypothetical did not mirror the restrictions ultimately assigned in his RFC finding, his step five finding is not supported by substantial evidence.” (Section III.A)*

## FACTUAL BACKGROUND

Plaintiff alleged disability based principally on chronic liver disease or cirrhosis, alcohol use disorder in sustained remission, bilateral cubital and carpal tunnel syndrome, hemolytic anemia, and psychiatric symptoms. The ALJ found that Plaintiff could perform light work with postural, environmental, manipulative, and mental restrictions, including frequent handling and fingering, and relied on vocational-expert testimony to find that jobs existed in significant numbers. The vocational expert's hypothetical did not include the frequent-handling-and-fingering restriction later included in the RFC, and the ALJ also restricted Plaintiff's testimony regarding her condition after a December 2022 hospitalization.

## PROCEDURAL HISTORY

Plaintiff applied for supplemental security income, was denied initially and on reconsideration, and received an unfavorable decision from an administrative law judge on June 16, 2023. The Appeals Council denied review, after which Plaintiff appealed to the district court. The district court granted Plaintiff's motion for judgment on the pleadings, denied the Commissioner's motion, and remanded for further proceedings.

## DISPOSITION

remanded

## REMAND INSTRUCTIONS

Remand for further proceedings consistent with the decision, including reevaluation of the step-five analysis with a hypothetical that matches the RFC; further development and consideration of Plaintiff's condition surrounding the December 2022 hospitalization; a clear evidentiary explanation for mental RFC restrictions; and thorough consideration of all potentially applicable subsections of Listing 5.05.

## CASES CITED

- Talavera v. Astrue, 697 F.3d 145, 151 (2d Cir. 2012)
- Moran v. Astrue, 569 F.3d 496, 501 (2d Cir. 2009)
- Williams v. Bowen, 859 F.2d 255, 258 (2d Cir. 1988)
- McIntyre v. Colvin, 758 F.3d 146, 149 (2d Cir. 2014)
- Yancey v. Apfel, 145 F.3d 106, 111 (2d Cir. 1998)
- Melisa G. v. Berryhill, No. 3:18-CV-508 (DJS), 2019 WL 2502726, at \*4 (N.D.N.Y. June 17, 2019)
- Zabala v. Astrue, 595 F.3d 402, 410 (2d Cir. 2010)
- Riley v. Astrue, No. 11-CV-6512T, 2012 WL 5420451, at \*8 (W.D.N.Y. Nov. 6, 2012)
- Chaderick G. v. Commissioner of Social Security, No. 1:24-cv-00258-GRJ, 2024 WL 4767031, at \*6 (S.D.N.Y. Nov. 13, 2024)

- Abdulsalam v. Commissioner of Social Security, No. 5:12-cv-1631 (MAD), 2014 WL 420465, at \*10 (N.D.N.Y. Feb. 4, 2014)
- Owens v. Astrue, No. 5:06-CV-0736 (NAM/GHL), 2009 WL 3698418, at \*8 (N.D.N.Y. Nov. 3, 2009)
- Ball v. Astrue, 755 F. Supp. 2d 452, 466 (W.D.N.Y. 2010)
- Johnny P. v. Commissioner of Social Security, No. 6:20-CV-7082SR, 2023 WL 2726375, at \*5 (W.D.N.Y. Mar. 31, 2023)
- Lugo v. Chater, 932 F. Supp. 497, 504 (S.D.N.Y. 1996)
- Sanchez v. Barnhart, 329 F. Supp. 2d 445, 449-50 (S.D.N.Y. 2004)
- Aull v. Astrue, No. 05-CV-1196 LEK/DEP, 2008 WL 2705520, at \*17 (N.D.N.Y. July 10, 2008)

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