

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Maria H. v. Commissioner of the Social Security Administration

Case No. 23cv2087-GPC(MMP) (S.D. Cal. Mar. 20, 2025) · No. 3:23-cv-02087 · Decided March 20, 2025

SUMMARY

The United States District Court for the Southern District of California declined to adopt a magistrate judge’s report and recommendation that would have reversed and remanded the Commissioner of Social Security’s decision. The court affirmed the Commissioner’s denial of disability insurance benefits and supplemental security income, holding that the ALJ adequately considered the claimant’s mild mental limitations and was not required to include them in the residual functional capacity assessment or vocational-expert hypothetical.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Gonzalo P. Curiel
JURISDICTION	United States District Court for the Southern District of California
DECIDED	March 20, 2025
DOCKET	3:23-cv-02087
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought review under 42 U.S.C. § 405(g) of the Commissioner’s final decision denying disability insurance benefits and supplemental security income. The court declined to adopt the magistrate judge’s report and recommendation, which recommended reversal and remand, and affirmed the Commissioner’s decision.
STANDARD OF REVIEW	The court may set aside the ALJ’s denial of benefits only if the ALJ’s findings are based on legal error or are not supported by substantial evidence in the record as a whole. Substantial evidence is more than a scintilla but less than a preponderance and is such relevant evidence as a reasonable mind might accept as adequate. When the evidence is susceptible to more than one rational interpretation, the ALJ’s conclusion must be upheld. The district court may accept, reject, or modify a magistrate judge’s report and recommendation; because no objections were filed, de novo review of specific portions under Federal Rule of Civil Procedure 72(b)(3) was not required.

PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only
PARTIES	Maria H. v. Commissioner of the Social Security Administration

TOPICS

judicial review of agency action administrative law ada / disability civil procedure

PRACTICE AREAS

Social Security disability administrative law federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ legally erred by failing to include Plaintiff's mild mental limitations in the RFC.
2. Whether the ALJ legally erred by failing to include Plaintiff's mild mental limitations in the hypothetical questions posed to the vocational expert.
3. Whether the Commissioner's final decision was supported by substantial evidence and free of legal error.

HOLDINGS

1. The ALJ did not err by omitting Plaintiff's mild mental limitations from the RFC because the ALJ considered those limitations, explained why they did not cause more than minimal limitations in basic work activities, and supported that determination with substantial evidence.
2. The ALJ did not err by omitting Plaintiff's mild mental limitations from the vocational-expert hypothetical because those limitations were not supported by substantial evidence as work-related functional restrictions and were properly omitted from the RFC.

KEY QUOTATIONS

"The reviewing court may only "set aside the ALJ's denial of benefits . . . when the ALJ's findings are based on legal error or are not supported by substantial evidence in the record as a whole."" (Discussion, A.2)

"Substantial evidence" means more than a mere scintilla, but less than a preponderance, i.e., such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." (Discussion, A.2)

"Therefore, the ALJ did not need to include the mild mental limitations in the RFC." (Discussion, B.1)

"Based on the reasoning above, the Court DECLINES to ADOPT the R&R, and AFFIRMS the Commissioner's decision." (Conclusion)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning September 1, 2020 based on physical and mental impairments, including degenerative disc disease, chronic pain, arthritis, fibromyalgia, diabetes, hypertension, and depression. The ALJ found that Plaintiff had mild limitations in all four paragraph B areas of mental functioning but no severe mental

impairment, and assessed an RFC for light work without mental restrictions. Based on that RFC, the ALJ found Plaintiff capable of performing past relevant work as a registration clerk and motel front office clerk.

PROCEDURAL HISTORY

Plaintiff applied for disability insurance benefits and supplemental security income. After the claims were denied initially and on reconsideration, an ALJ held a hearing and determined that Plaintiff was not disabled; the Appeals Council denied review. The magistrate judge recommended reversing and remanding, but no objections were filed, and the district court independently reviewed the record, declined to adopt the recommendation, and affirmed the Commissioner.

DISPOSITION

affirmed

CASES CITED

- Garrison v. Colvin, 759 F.3d 995, 1011 (9th Cir. 2014)
- Bray v. Commissioner of Social Security Administration, 554 F.3d 1219, 1222 (9th Cir. 2009)
- Wang v. Masaitis, 416 F.3d 992, 1000 n.13 (9th Cir. 2005)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121-22 (9th Cir. 2003) (en banc)
- Parra v. Astrue, 481 F.3d 742, 746 (9th Cir. 2007)
- Robbins v. Social Security Administration, 466 F.3d 880, 882, 886 (9th Cir. 2006)
- Burch v. Barnhart, 400 F.3d 676, 679, 683-84 (9th Cir. 2005)
- Woods v. Kijakazi, 32 F.4th 785, 794 (9th Cir. 2022)
- Hutton v. Astrue, 491 Fed. App'x 850, 850 (9th Cir. Dec. 5, 2012)
- Osenbrock v. Apfel, 240 F.3d 1157, 1163, 1165 (9th Cir. 2001)
- Lockwood v. Commissioner of Social Security Administration, 616 F.3d 1068, 1073 (9th Cir. 2010)
- Lowry v. Barnhart, 329 F.3d 1019, 1023 (9th Cir. 2003)
- Evelyn v. Schweiker, 685 F.2d 351, 352 n.5 (9th Cir. 1982)
- Lusardi v. Astrue, 350 Fed. App'x 169, 172 (9th Cir. Oct. 30, 2009)
- Stenberg v. Commissioner of Social Security Administration, 303 Fed. App'x 550, 552 (9th Cir. Dec. 16, 2008)
- Patricia C. v. Saul, Case No. 19-cv-00636-JM-JLB, 2020 WL 4596757, at *12-*13 (S.D. Cal. Aug. 11, 2020)
- Gates v. Berryhill, Case No. ED CV 16-00049 AFM, 2017 WL 2174401, at *2-*3 (C.D. Cal. May 16, 2017)