

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS, DELTA DIVISION

Gary Pace v. Frank Bisignano, Commissioner, Social Security
Administration

Pace · No. 2:25-CV-00069-DPM-BBM · Decided February 4, 2026

SUMMARY

This Recommended Disposition addresses Gary Pace’s challenge to the Commissioner of the Social Security Administration’s denial of disability benefits. The court concludes that substantial evidence supports the ALJ’s residual functional capacity determination and that the ALJ properly considered Pace’s postictal symptoms, the medical-opinion evidence, and the narrative RFC requirements. It recommends affirming the Commissioner’s decision and entering judgment for the Defendant.

CASE DETAILS

COURT	United States District Court for the Eastern District of Arkansas, Delta Division
JURISDICTION	United States District Court for the Eastern District of Arkansas, Delta Division
DECIDED	February 4, 2026
DOCKET	2:25-CV-00069-DPM-BBM
DISPOSITION	affirmed
PROCEDURAL POSTURE	Pace sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying Title II disability benefits. The magistrate judge issued a Recommended Disposition advising that the Commissioner's decision be affirmed and that judgment be entered for the defendant.
STANDARD OF REVIEW	The court reviewed whether the ALJ's decision was supported by substantial evidence on the record as a whole and whether the ALJ committed legal error. Substantial evidence means more than a mere scintilla and is evidence that a reasonable mind might accept as adequate to support a conclusion; the court also considered evidence that fairly detracted from the Commissioner's decision.
PRECEDENTIAL VALUE	unknown

PARTIES

Gary Pace v. Frank Bisignano, Commissioner, Social Security Administration

TOPICS

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QUESTIONS PRESENTED

1. Whether substantial evidence supported the RFC despite Pace's alleged postictal symptoms and asserted need for two to three days of recovery after seizures.
2. Whether the ALJ properly evaluated the persuasiveness of treating neurologist Dr. Bashir Shihabuddin's medical opinions under the applicable regulations.
3. Whether the ALJ satisfied Social Security Ruling 96-8p by providing a narrative discussion explaining the evidence supporting the RFC.

HOLDINGS

1. The ALJ properly considered Pace's alleged postictal symptoms and reasonably rejected additional RFC limitations based on the infrequency of seizures, the medical observations following seizure episodes, and the lack of evidence supporting prolonged postictal impairment.
2. The ALJ properly evaluated the medical-opinion evidence and reasonably found Dr. Shihabuddin's opinion unpersuasive to the extent it did not establish greater exertional limitations than those included in the RFC.
3. The ALJ satisfied the narrative-discussion requirement by explaining the evidentiary basis for the RFC, including the treatment records, medical opinions, and Pace's statements.

KEY QUOTATIONS

“Substantial evidence is that which a ‘reasonable mind might accept as adequate to support a conclusion,’ whereas substantial evidence on the record as a whole entails ‘a more scrutinizing analysis.’” (Section III.A)

“The neurologist’s use of the term “extreme” indicates that Pace could sustain normal amounts of physical stress (such as light work), especially considering that, in the same assessment, Dr. Shihabuddin did not limit Pace in walking, standing, sitting, lifting, or carrying.” (Section III.C.2)

“Substantial evidence supports the Commissioner’s decision that Pace was not disabled.” (Section IV)

FACTUAL BACKGROUND

Pace alleged disability based principally on a seizure disorder, along with diabetes mellitus, headaches, and sleep apnea. He experienced several documented seizure episodes between 2020 and 2023, with some postictal

confusion and other symptoms, but examinations after later episodes generally showed alertness, normal gait, normal strength, and no significant neurological deficits. His treating neurologist recommended seizure-related postural and environmental precautions and stated that Pace should avoid extreme physical stress, while also indicating that his ability to stand, walk, sit, lift, and carry was unaffected. The ALJ determined that Pace could perform light work with substantial seizure-related restrictions and could perform his past relevant work.

PROCEDURAL HISTORY

Pace applied for Title II disability benefits, alleging disability beginning August 14, 2020. His claim was denied initially and on reconsideration; after a hearing, an administrative law judge found him not disabled on May 14, 2024. The Appeals Council denied review on March 14, 2025, making the ALJ's decision the Commissioner's final decision. Pace then filed this action for judicial review, and the magistrate judge recommended affirmance.

DISPOSITION

affirmed

CASES CITED

- Miller v. Colvin, 784 F.3d 472, 477 (8th Cir. 2015)
- Reed v. Barnhart, 399 F.3d 917, 920 (8th Cir. 2005)
- Gann v. Berryhill, 864 F.3d 947, 950-51 (8th Cir. 2017)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Consolidated Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Despain v. Berryhill, 926 F.3d 1024, 1027 (8th Cir. 2019)
- McGeorge v. Barnhart, 321 F.3d 766, 769 (8th Cir. 2003)
- Buckner v. Astrue, 646 F.3d 549, 556 (8th Cir. 2011)
- Bradley v. Astrue, 528 F.3d 1113, 1115 (8th Cir. 2008)
- Schwandt v. Berryhill, 926 F.3d 1004, 1012 (8th Cir. 2019)
- Johnson v. Apfel, 240 F.3d 1145, 1148 (8th Cir. 2001)
- Gregg v. Barnhart, 354 F.3d 710, 714 (8th Cir. 2003)
- Russell v. Sullivan, 950 F.2d 542, 545 (8th Cir. 1991)
- Norwood v. Kijakazi, No. 21-3560, 2022 WL 1740785, at *1 (8th Cir. May 31, 2022) (per curiam)
- Phillips v. Saul, No. 1:19-CV-34-BD, 2020 WL 3451519, at *2 (E.D. Ark. June 24, 2020)
- Vandenboom v. Barnhart, 421 F.3d 745, 750 (8th Cir. 2005)