

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
PENNSYLVANIA

Mark B. v. Frank Bisignano, Commissioner of the Social Security  
Administration

Mark B. · No. 2:25-cv-03782 · Decided January 30, 2026

SUMMARY

The United States District Court for the Eastern District of Pennsylvania reviewed the Commissioner of Social Security’s denial of the plaintiff’s Supplemental Security Income claim. The court granted the plaintiff’s request for review and remanded because the ALJ accepted a medical opinion limiting the plaintiff to two hours of sitting in an eight-hour workday while finding that he could perform sedentary work, which generally requires approximately six hours of sitting. The court did not reach the plaintiff’s other arguments.

CASE DETAILS

|                       |                                                                                                                                                                                                                                  |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Pennsylvania                                                                                                                                                            |
| WRITING FOR THE COURT | Carol Sandra Moore Wells                                                                                                                                                                                                         |
| JURISDICTION          | United States District Court for the Eastern District of Pennsylvania                                                                                                                                                            |
| DECIDED               | January 30, 2026                                                                                                                                                                                                                 |
| DOCKET                | 2:25-cv-03782                                                                                                                                                                                                                    |
| DISPOSITION           | remanded                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner of Social Security's final decision denying Supplemental Security Income. The parties consented to jurisdiction before the magistrate judge.       |
| STANDARD OF REVIEW    | The court reviews the Commissioner's factual findings for substantial evidence and reviews legal conclusions de novo. The court may not reweigh the evidence and must affirm factual findings supported by substantial evidence. |
| PRECEDENTIAL VALUE    | Unknown                                                                                                                                                                                                                          |
| PARTIES               | Mark B. v. Frank Bisignano, Commissioner of the Social Security Administration                                                                                                                                                   |

## TOPICS

judicial review of agency action

agency adjudication

administrative law

## PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

## QUESTIONS PRESENTED

1. Whether the ALJ committed reversible legal error by finding Dr. Cohen's exertional opinions persuasive while also finding that Plaintiff could perform sedentary work.
2. Whether the ALJ's decision should be remanded for reconsideration of Plaintiff's exertional limitations.

## HOLDINGS

1. The ALJ committed legal error by accepting Dr. Cohen's opinion that Plaintiff could sit for only two hours in an eight-hour workday while finding that Plaintiff retained the capacity for sedentary work, because sedentary work requires the ability to sit for approximately six hours in an eight-hour workday.

## KEY QUOTATIONS

*"Because the ALJ's decision to accept Dr. Cohen's opinions is irreconcilable with her determination that Plaintiff can perform sedentary work, this case must be remanded so that the ALJ can reconsider whether to credit Dr. Cohen's opinions concerning Plaintiff's exertional limitations."* (R. 37, 1792)

*"The ability to sit for only two hours in an eight-hour workday precludes the performance of sedentary work, which requires the ability to sit for six hours in an eight-hour workday."* (R. 37)

## FACTUAL BACKGROUND

Plaintiff alleged disability based on spinal, knee, wrist, and psoriatic-arthritis impairments, as well as depression, anxiety, ADHD, PTSD, and substance use disorder. The ALJ found that Plaintiff could perform sedentary work with physical and mental limitations and therefore could perform other work existing in significant numbers in the national economy. The ALJ expressly found persuasive Dr. Matthew Cohen's opinions concerning Plaintiff's exertional limitations, including that Plaintiff could sit for only two hours in an eight-hour workday.

## PROCEDURAL HISTORY

Plaintiff filed an SSI claim on May 3, 2022. The claim was denied initially and on reconsideration; following an April 4, 2024 telephonic hearing, the ALJ found Plaintiff not disabled on May 31, 2024. The Appeals Council denied review on May 28, 2025. Plaintiff then sought judicial review, and the court granted his request for review and remanded the case to the Commissioner.

## DISPOSITION

remanded

## REMAND INSTRUCTIONS

The Commissioner must remand the matter to the ALJ to reconsider whether to credit Dr. Cohen's sitting limitation and to reassess whether Plaintiff can perform sedentary work in light of that limitation.

## CASES CITED

- Poulos v. Commissioner of Social Security, 474 F.3d 88, 91 (3d Cir. 2007)
- Schauddeck v. Commissioner of Social Security Administration, 181 F.3d 429, 431 (3d Cir. 1999)
- Pierce v. Underwood, 487 U.S. 552, 565 (1988)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Fargnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001)
- Brown v. Bowen, 845 F.2d 1211, 1213-14 (3d Cir. 1988)
- Monsour Medical Center v. Heckler, 806 F.2d 1185, 1190-91 (3d Cir. 1986)
- Rutherford v. Barnhart, 399 F.3d 546, 552 (3d Cir. 2005)
- Heckler v. Campbell, 461 U.S. 458, 460 (1983)
- Hess v. Commissioner of Social Security, 931 F.3d 198, 201 (3d Cir. 2019)