

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Kenneth Torres A. v. Leland Dudek, Acting Commissioner of Social
Security

No. 5:24-cv-00427-PD (C.D. Cal. Mar. 17, 2025) · No. 5:24-cv-00427-PD · Decided March 17, 2025

SUMMARY

The United States District Court for the Central District of California reviewed the denial of Kenneth Torres A.'s applications for Social Security Disability Insurance and Supplemental Security Income benefits. The court upheld the finding that his seizure disorder did not meet or equal Listing 11.02(B), but found that the Administrative Law Judge inadequately evaluated his hand impairments and residual functional capacity. The court reversed the agency decision and remanded for further administrative proceedings on an open record.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Patricia Donahue
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 17, 2025
DOCKET	5:24-cv-00427-PD
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Acting Commissioner's final decision denying his applications for Social Security Disability Insurance and Supplemental Security Income benefits.
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court reviews whether the ALJ's decision is supported by substantial evidence in the record as a whole and whether the ALJ applied the correct legal standard. The court must uphold a reasonable evaluation of evidence susceptible to more than one rational interpretation, subject to harmless-error review.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court memorandum opinion; precedential status unknown

TOPICS

judicial review of agency action

administrative law

ada / disability

disability definition

remedies

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

remedies

QUESTIONS PRESENTED

1. Whether the ALJ erred in finding that Plaintiff's seizure disorder did not meet or medically equal Listing 11.02(B).
2. Whether the ALJ properly considered the medical evidence and hand limitations when formulating Plaintiff's residual functional capacity.
3. Whether the ALJ properly evaluated the mental-health evidence and Plaintiff's subjective symptom statements and testimony.

HOLDINGS

1. The ALJ did not err in finding that Plaintiff's seizure disorder did not meet or medically equal Listing 11.02(B) because Plaintiff failed to establish the required frequency and duration of dyscognitive seizures despite adherence to prescribed treatment.
2. The ALJ erred by finding Plaintiff's carpal-tunnel syndrome nonsevere while simultaneously imposing manipulative and lifting restrictions in the RFC and failing to explain how the significant hand-related medical evidence supported the RFC.
3. The court declined to resolve the remaining challenges because the ALJ must first reevaluate Plaintiff's hand impairment, RFC, mental-health evidence, and subjective symptom statements on remand.

KEY QUOTATIONS

"A court will vacate the agency's decision "only if the ALJ's decision was not supported by substantial evidence in the record as a whole or if the ALJ applied the wrong legal standard." (II)

"Because the ALJ failed to explain the inconsistency, it is unclear how she would have weighed the other evidence of Plaintiff's hand impairment if she had analyzed it as severe." (III.B.2.b)

"IT IS ORDERED that judgment be entered REVERSING the Acting Commissioner's decision, GRANTING Plaintiff's request for remand, and REMANDING this action for further proceedings consistent with this memorandum decision." (IV)

FACTUAL BACKGROUND

Plaintiff alleged disability from depression, diabetes, seizures, insomnia, autism-related symptoms, and other conditions beginning November 18, 2020. The ALJ found severe diabetes, seizures, depression, anxiety, ADHD, and a possible learning or intellectual disability, but found carpal-tunnel syndrome nonsevere and formulated an RFC allowing frequent bilateral fine and gross manipulation. The medical record documented bilateral hand pain, decreased sensation in all five digits, moderate to severe bilateral median neuropathy, repeated emergency-room treatment, and left carpal-tunnel-release surgery in January 2023.

PROCEDURAL HISTORY

Plaintiff's prior disability finding was terminated effective May 1, 2017. He filed new DIB and SSI applications in July 2021, alleging disability beginning November 18, 2020. After the applications were denied initially and on reconsideration, an ALJ held a hearing and issued a May 31, 2023 decision finding Plaintiff not disabled. The district court reversed the agency decision and remanded for further administrative proceedings on an open record.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

On an open record, the ALJ must reassess Plaintiff's hand impairment, including when it became severe, and reassess the RFC. For the DIB claim, the RFC must be assessed only through the September 30, 2022 date last insured. For the SSI claim, the ALJ must determine whether the January 2023 surgery resolved Plaintiff's hand issues. The ALJ should also reevaluate the mental-health evidence and subjective symptom statements in light of the proper evaluation of the hand impairment. If the ALJ again finds no additional hand limitations, she must adequately explain the medical evidence supporting that finding.

CASES CITED

- Chavez v. Bowen, 844 F.2d 691 (9th Cir. 1988)
- Lester v. Chater, 81 F.3d 821, 828 & n.5 (9th Cir. 1996), amended
- Farlow v. Kijakazi, 53 F.4th 485 (9th Cir. 2022)
- Coleman v. Saul, 979 F.3d 751, 755 (9th Cir. 2020)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Ford v. Saul, 950 F.3d 1141, 1149 (9th Cir. 2020)
- Ryan v. Commissioner of Social Security, 528 F.3d 1194, 1198 (9th Cir. 2008)
- Tran v. Saul, 804 F. App'x 676, 678 (9th Cir. 2020)
- Ludwig v. Astrue, 681 F.3d 1047, 1054 (9th Cir. 2012)
- Treichler v. Commissioner of Social Security Administration, 775 F.3d 1090, 1099, 1101 (9th Cir. 2014)
- Tackett v. Apfel, 180 F.3d 1094, 1098-99 (9th Cir. 1999)
- Molina v. Astrue, 674 F.3d 1104, 1110 (9th Cir. 2012)
- Burch v. Barnhart, 400 F.3d 676, 683-84 (9th Cir. 2005)
- Carvalho v. Kijakazi, No. 2:21-cv-01099 CKD (SS), 2023 WL 4848493, at *6 (E.D. Cal. July 28, 2023)
- Melissa M. v. Commissioner of Social Security Administration, No. 2:24-cv-00528-JR, 2024 WL 4948851, at *1 (D. Or. Dec. 2, 2024)
- Woods v. Kijakazi, 32 F.4th 785, 791 (9th Cir. 2022)
- Rounds v. Commissioner of Social Security Administration, 807 F.3d 996, 1006 (9th Cir. 2015), amended
- Tadesse v. Kijakazi, No. 20-16064, 2021 WL 5600149, at *1 (9th Cir. Nov. 30, 2021)

- Perez v. Astrue, 250 F. App'x 774, 776 (9th Cir. 2007)
- Gutierrez v. Colvin, No. ED CV 15-889-E, 2016 WL 67680, at *1 n.1 (C.D. Cal. Jan. 4, 2016)
- Bridges v. Colvin, No. CV 13-5618-E, 2014 WL 1370369, at *3 (C.D. Cal. Apr. 8, 2014)
- Negrette v. Astrue, No. EDCV 08-0737 RNB, 2009 WL 2208088, at *2 (C.D. Cal. July 21, 2009)
- Harman v. Apfel, 211 F.3d 1172, 1175-78 (9th Cir. 2000), amended
- Leon v. Berryhill, 880 F.3d 1041, 1045 (9th Cir. 2017), amended
- Dominguez v. Colvin, 808 F.3d 403, 407 (9th Cir. 2015), amended Feb. 5, 2016
- Brown-Hunter v. Colvin, 806 F.3d 487, 496 (9th Cir. 2015), amended
- Strauss v. Commissioner of Social Security Administration, 635 F.3d 1135, 1138 (9th Cir. 2011)
- Grimm v. City of Portland, 971 F.3d 1060, 1067 (9th Cir. 2020)

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