

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Venis J. Mahorne v. Commissioner of Social Security

Mahorne v. Commissioner of Social Security · No. 1:23-cv-00415-CDB (SS) · Decided July 30, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Venis J. Mahorne’s motion for summary judgment in her action seeking review of the Commissioner of Social Security’s denial of supplemental security income. The court held that the administrative law judge did not provide reasons supported by substantial evidence for discounting Mahorne’s subjective symptom testimony, particularly regarding changes in her impairments and treatment and the significance of her daily activities. The matter was remanded for further administrative proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 30, 2025
DOCKET	1:23-cv-00415-CDB (SS)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying her application for supplemental security income. The court granted plaintiff's motion for summary judgment, reversed the Commissioner's decision, and remanded for further administrative proceedings.
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court reviews the Commissioner's decision to determine whether it is supported by substantial evidence or based on legal error. The court considers the entire record, reviews only the reasons provided by the ALJ, may not substitute its judgment for the Commissioner's, and will not reverse for harmless error.
PRECEDENTIAL VALUE	unpublished and nonprecedential district court order
PARTIES	Venis J. Mahorne v. Commissioner of Social Security

TOPICS

- judicial review of agency action
- agency adjudication
- administrative law

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ provided specific, clear, and convincing reasons supported by substantial evidence for discounting plaintiff's subjective symptom testimony.
2. Whether the ALJ's reliance on the asserted lack of change in plaintiff's objective findings and treatment since a prior decision was supported by substantial evidence.
3. Whether the ALJ adequately explained how plaintiff's limited daily activities conflicted with her alleged limitations or demonstrated transferable work abilities.

HOLDINGS

1. The ALJ did not provide specific, clear, and convincing reasons supported by substantial evidence for discounting plaintiff's symptom testimony. The conclusion that plaintiff's objective findings and treatment had not materially changed since the prior decision was contradicted by the ALJ's finding of additional severe impairments and by evidence of bilateral knee injections, planned back MRIs and epidural injections, and conservative treatment that had not produced lasting results.
2. The ALJ's reliance on plaintiff's daily activities was legally insufficient because the ALJ merely listed limited activities, such as dressing herself and preparing a sandwich several days per week, without explaining how those activities conflicted with particular testimony or demonstrated an ability to perform work-related functions.
3. The errors were not harmless because the ALJ provided no valid additional reasons for rejecting plaintiff's symptom testimony.

KEY QUOTATIONS

"The Regulations provide that "a physical or mental impairment must be established by objective medical evidence from an acceptable medical source." (Opinion at 11)

"There are two grounds on which an ALJ may use a plaintiff's daily activities to question a plaintiff's credibility as to her subjective symptoms: (1) when daily activities demonstrate the plaintiff has transferable work skills, and (2) when daily activities contradict the plaintiff's testimony as to the degree of functional limitation." (Opinion at 13)

"For all these reasons, the ALJ did not identify specific, clear, and convincing reasons supported by substantial evidence for discrediting Plaintiff's symptom testimony." (Opinion at 14)

FACTUAL BACKGROUND

Plaintiff alleged disabling limitations from right-eye blindness, bilateral knee osteoarthritis, small-fiber neuropathy, lupus, degenerative disc disease, and obesity. She testified that her symptoms had worsened, that she used a cane or walker, received approximately 65 or 66 hours per month of in-home services, could stand only 15 to 20 minutes, and spent several hours a day lying down. The ALJ found her capable of light work with

restrictions and discounted her symptom testimony based primarily on medical findings, treatment history, and daily activities.

PROCEDURAL HISTORY

Plaintiff filed a Title XVI application for supplemental security income on February 14, 2019. The application was denied initially and on reconsideration; following a December 9, 2021 hearing, the ALJ issued a January 20, 2022 decision finding plaintiff not disabled. The Appeals Council denied review on January 13, 2023. Plaintiff then sought review in the district court, which granted summary judgment in her favor and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter was remanded to the Commissioner of Social Security for further proceedings consistent with the order.

CASES CITED

- Hill v. Astrue, 698 F.3d 1153, 1158-59 (9th Cir. 2012)
- Tommasetti v. Astrue, 533 F.3d 1035, 1038-39 (9th Cir. 2008)
- Shinseki v. Sanders, 556 U.S. 396, 409-10 (2009)
- Tackett v. Apfel, 180 F.3d 1094, 1098 (9th Cir. 1999)
- Beltran v. Astrue, 700 F.3d 386, 389 (9th Cir. 2012)
- Andrews v. Shalala, 53 F.3d 1035, 1039 (9th Cir. 1995)
- Orn v. Astrue, 495 F.3d 625, 635, 639 (9th Cir. 2007)
- Molina v. Astrue, 674 F.3d 1104, 1104, 1112, 1115 (9th Cir. 2012)
- Lingenfelter v. Astrue, 504 F.3d 1028, 1036 (9th Cir. 2007)
- Smolen v. Chater, 80 F.3d 1273, 1281-82, 1284 & n.7 (9th Cir. 1996)
- Treichler v. Comm'r of Soc. Sec., 775 F.3d 1090, 1102 (9th Cir. 2014)
- Carmickle v. Comm'r of Soc. Sec., 533 F.3d 1155, 1160 (9th Cir. 2008)
- Moisa v. Barnhart, 367 F.3d 882, 885 (9th Cir. 2004)
- Wilson v. Berryhill, 757 Fed. Appx. 595, 597 (9th Cir. 2019)
- Smartt v. Kijakazi, 53 F.4th 489, 494 (9th Cir. 2022)
- Bunnell v. Sullivan, 947 F.2d 341, 346 (9th Cir. 1991)
- Bray v. Comm'r of Soc. Sec. Admin., 554 F.3d 1219, 1226 (9th Cir. 2009)
- Garrison v. Colvin, 759 F.3d 995, 1015 (9th Cir. 2014)
- Macina v. Colvin, No. 24-204, 2024 WL 5116300, at *3 (9th Cir. Dec. 16, 2024)
- Burch v. Barnhart, 400 F.3d 676, 680 (9th Cir. 2005)

- Reddick v. Chater, 157 F.3d 715, 722 (9th Cir. 1998)
- Rollins v. Massanari, 261 F.3d 853, 857 (9th Cir. 2001)
- Hairston v. Saul, 827 Fed. Appx. 772, 773 (9th Cir. 2020)
- Vertigan v. Halter, 260 F.3d 1044, 1049-50 (9th Cir. 2001)
- Brown-Hunter v. Colvin, 806 F.3d 487, 493 (9th Cir. 2015)
- Dominguez v. Colvin, 808 F.3d 403, 407 (9th Cir. 2015)

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