

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Christopher V. v. Commissioner of Social Security

23-CV-585-LJV · No. 23-CV-585-LJV · Decided April 7, 2026

SUMMARY

The United States District Court for the Western District of New York reviewed the Commissioner of Social Security’s denial of Christopher V.’s claims for Disability Insurance Benefits and Supplemental Security Income. The court denied the plaintiff’s motion for judgment on the pleadings and granted the Commissioner’s cross-motion, concluding that the ALJ’s residual functional capacity determination was supported by substantial evidence and that any error in evaluating a nurse practitioner’s opinion was harmless. The court also rejected the argument that the ALJ failed to develop the record regarding treatment notes from Horizon Health Services.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Lawrence J. Vilardo
JURISDICTION	United States District Court for the Western District of New York
DECIDED	April 7, 2026
DOCKET	23-CV-585-LJV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Action under 42 U.S.C. § 405(g) seeking judicial review of the Commissioner's denial of Disability Insurance Benefits and Supplemental Security Income. Plaintiff moved for judgment on the pleadings, and the Commissioner cross-moved for judgment on the pleadings.
STANDARD OF REVIEW	The court determines first whether the Commissioner applied the correct legal principles and provided a full hearing consistent with the Social Security Act and regulations, and second whether the determination is supported by substantial evidence. The court may reject factual findings only when a reasonable factfinder would have to conclude otherwise.
PRECEDENTIAL VALUE	unpublished district court decision; persuasive only

PARTIES

Christopher V. v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

disability definition

ada / disability

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ failed to account for limitations identified in the opinion of Dr. Hongbiao Liu.
2. Whether the ALJ failed to account for limitations identified in the opinion of Dr. Janine Ippolito.
3. Whether the ALJ properly evaluated nurse practitioner Megan Mogavero's medical opinions under the applicable regulations.
4. Whether the ALJ failed to develop the administrative record by obtaining additional treatment notes from Horizon Health Services.
5. Whether the ALJ's denial of benefits was supported by substantial evidence and free of legal error.

HOLDINGS

1. The ALJ did not err in evaluating Dr. Liu's opinion or in limiting Christopher to medium work. The RFC adequately accounted for the mild-to-moderate exertional limitations identified by Dr. Liu.
2. The ALJ did not err in accounting for Dr. Ippolito's mild-to-moderate mental limitations through an RFC restricting Christopher to simple, routine, and repetitive tasks.
3. The ALJ erred by failing to explicitly discuss the supportability and consistency factors required by 20 C.F.R. § 404.1520c when finding NP Mogavero's opinions unpersuasive, but the error was harmless because the record supplied good reasons for discounting the opinions.
4. The ALJ did not violate the duty to develop the record by failing to obtain additional Horizon Health Services treatment notes.

KEY QUOTATIONS

“The scope of review of a disability determination . . . involves two levels of inquiry.”

“The ALJ therefore did not err with respect to his duty to develop the record.”

“The ALJ’s decision was not contrary to the substantial evidence in the record, nor did it result from any legal error.”

FACTUAL BACKGROUND

Christopher applied for Disability Insurance Benefits and Supplemental Security Income based on physical and mental impairments. The ALJ found severe impairments including knee degeneration, spinal degeneration, post-

traumatic stress disorder, affective and anxiety disorders, and substance use disorder, but found that none met or medically equaled a listed impairment. The ALJ determined that Christopher retained the residual functional capacity for medium work limited to simple, routine, and repetitive tasks, could not perform past relevant work, but could perform work as a hand packer or machine packer.

PROCEDURAL HISTORY

The ALJ found on August 29, 2022, that Christopher was not disabled from August 1, 2016, through the date of the decision. Christopher filed this action on June 23, 2023, challenging the ALJ's treatment of medical opinions and the alleged failure to develop the record. The district court denied Christopher's motion, granted the Commissioner's cross-motion, dismissed the complaint, and directed the Clerk to close the file.

DISPOSITION

dismissed

CASES CITED

- *Arnone v. Bowen*, 882 F.2d 34, 37-38 (2d Cir. 1989)
- *Johnson v. Bowen*, 817 F.2d 983, 985-86 (2d Cir. 1987)
- *Moran v. Astrue*, 569 F.3d 108, 112 (2d Cir. 2009)
- *Cruz v. Sullivan*, 912 F.2d 8, 11 (2d Cir. 1990)
- *Richardson v. Perales*, 402 U.S. 389, 401 (1971)
- *Consolidated Edison Co. v. NLRB*, 305 U.S. 197, 229 (1938)
- *Brault v. Social Security Administration, Commissioner*, 683 F.3d 443, 448 (2d Cir. 2012)
- *McIntyre v. Colvin*, 758 F.3d 146, 149 (2d Cir. 2014)
- *Matta v. Astrue*, 508 F. App'x 53, 56 (2d Cir. 2013)
- *Schillo v. Kijakazi*, 31 F.4th 64, 78 (2d Cir. 2022)
- *Rubin v. Martin O'Malley, Commissioner of Social Security*, 116 F.4th 145, 155 (2d Cir. 2024)
- *Cichocki v. Astrue*, 729 F.3d 172, 177 (2d Cir. 2013)
- *John M. v. Commissioner of Social Security*, 2025 WL 395909, at *8 (W.D.N.Y. Feb. 5, 2025)
- *Cain S. v. Commissioner of Social Security*, 2022 WL 17252414, at *4 (W.D.N.Y. Nov. 28, 2022)
- *Christopher T. L. v. Commissioner of Social Security*, 2021 WL 9629024, at *5 (W.D.N.Y. Jan. 21, 2021)
- *T.L.E. v. Bisignano*, 2025 WL 2522510, at *3 (W.D.N.Y. Sept. 2, 2025)
- *Arthur M. v. Saul*, 2021 WL 2309884, at *4 (W.D.N.Y. June 7, 2021)
- *Denise Marie T.-W. v. Commissioner of Social Security*, 2024 WL 4162490, at *6 (W.D.N.Y. Sept. 12, 2024)
- *Angela H.-M. v. Commissioner of Social Security*, 631 F. Supp. 3d 1, 7 (W.D.N.Y. 2022)
- *Spottswood v. Kijakazi*, 2024 WL 89635, at *1 (2d Cir. Jan. 9, 2024)
- *Loucks v. Kijakazi*, 2022 WL 2189293, at *2 (2d Cir. June 17, 2022)
- *Estrella v. Berryhill*, 925 F.3d 90, 95 (2d Cir. 2019)

- Halloran v. Barnhart, 362 F.3d 28, 32 (2d Cir. 2004)
- Drake v. Saul, 839 F. App'x 584, 586 (2d Cir. 2021)
- Mongeur v. Heckler, 722 F.2d 1033, 1040 (2d Cir. 1983)
- Balsamo v. Chater, 242 F.3d 75, 81 (2d Cir. 2001)
- Rosa v. Callahan, 168 F.3d 72, 79 n.5 (2d Cir. 1999)
- Janes v. Berryhill, 710 F. App'x 33, 34 (2d Cir. 2018)
- David C. v. Commissioner of Social Security, 2024 WL 4347151, at *15 (W.D.N.Y. Sept. 30, 2024)
- Curley v. Commissioner of Social Security Administration, 808 F. App'x 41, 43 (2d Cir. 2020)
- Morris v. Berryhill, 721 F. App'x 25, 28 (2d Cir. 2018)
- Lucius R. v. O'Malley, 2024 WL 1200181, at *16 (D. Conn. Jan. 22, 2024)
- DeChirico v. Callahan, 134 F.3d 1177, 1182-83 (2d Cir. 1998)