

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cruz v. Commissioner of Social Security

No. 1:24-cv-00169-JLT-GSA (E.D. Cal. Mar. 5, 2025) · No. No. 1:24-cv-00169-JLT-GSA · Decided March 6, 2025

SUMMARY

The document contains findings and recommendations in Ronnie Cruz’s action seeking judicial review of the Commissioner of Social Security’s denial of disability insurance benefits. The magistrate judge recommends granting Cruz’s motion for summary judgment and remanding under sentence four of 42 U.S.C. § 405(g) for further proceedings, including evaluation of Listing 2.02 and reconsideration of the residual functional capacity. The recommendations identify deficiencies in the ALJ’s treatment of worsening vision and foot impairments.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Gary S. Austin, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 6, 2025
DOCKET	No. 1:24-cv-00169-JLT-GSA
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Commissioner's final decision denying disability insurance benefits and moved for summary judgment. The magistrate judge issued findings and recommendations recommending that Plaintiff's motion be granted, the Commissioner's cross-motion be denied, and the matter be remanded under sentence four of 42 U.S.C. § 405(g).
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court may set aside the Commissioner's decision when the ALJ's findings are based on legal error or are not supported by substantial evidence in the record as a whole. The court must consider the record as a whole and may not substitute its judgment for the Commissioner's where the evidence reasonably supports two conclusions.

PRECEDENTIAL VALUE	Nonprecedential findings and recommendations; subject to adoption, modification, or rejection by the assigned district judge.
PARTIES	Ronnie Cruz v. Commissioner of Social Security

TOPICS

judicial review of agency action summary judgment administrative law disability definition remedies

PRACTICE AREAS

Social Security disability administrative law federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ adequately evaluated whether Cruz's visual impairment met or medically equaled Listing 2.02 for loss of central visual acuity.
2. Whether the ALJ's residual functional capacity finding was supported by substantial evidence in light of worsening vision, foot ulcers, and advice to limit standing and walking.
3. Whether the ALJ was required to further develop the record by obtaining updated medical opinion evidence regarding Cruz's visual acuity and functional limitations.

HOLDINGS

1. The ALJ's step-three analysis was inadequate because it omitted and did not evaluate the November 2022 finding of 20/400 vision with no improvement from pinhole correction, leaving unresolved whether Cruz's best corrected visual acuity in the better eye satisfied Listing 2.02.
2. The RFC finding was not supported by substantial evidence because the ALJ recognized worsening vision and foot conditions yet imposed only a depth-perception limitation and no limitation on standing or walking, despite evidence potentially inconsistent with those findings.
3. Remand was appropriate for the ALJ to obtain medical opinion evidence concerning Cruz's best corrected visual acuity and to reconsider the impact of the visual and foot impairments on the RFC.

KEY QUOTATIONS

“Remand is appropriate for the ALJ to obtain a medical opinion concerning the same, to affirmatively state what the ALJ concludes was Plaintiff’s best corrected visual acuity during the relevant period, and to explain the evidentiary basis for that finding.” (at 5)

“Substantial evidence and applicable law do not support the ALJ’s conclusion that Plaintiff was not disabled.” (at 9-10)

FACTUAL BACKGROUND

Cruz alleged disability beginning February 9, 2021, based principally on severe diabetic and ophthalmic conditions, including blindness or low vision, diabetic retinopathy, macular edema, retinal detachment, vitreous

hemorrhage, peripheral neuropathy, and toe amputations. The record contained conflicting evidence regarding vision in Cruz's better eye: earlier examinations reflected corrected acuity of approximately 20/40 to 20/50, while a November 29, 2022 emergency visit recorded 20/400 vision with no improvement from pinhole correction. The record also reflected worsening foot ulcers and advice to limit standing and walking, but the ALJ adopted an RFC for light work without standing or walking limitations.

PROCEDURAL HISTORY

Cruz applied for disability insurance benefits on March 17, 2021. The Commissioner denied the claim initially and on reconsideration; following a December 8, 2022 hearing, the ALJ issued an unfavorable decision on January 25, 2023. The Appeals Council denied review on December 4, 2023, and Cruz sought judicial review. The magistrate judge recommended remand for further proceedings; the findings and recommendations were subject to objections and referral to the assigned district judge under 28 U.S.C. § 636(b)(1).

DISPOSITION

remanded

REMAND INSTRUCTIONS

The ALJ must obtain a medical opinion concerning Cruz's best corrected visual acuity for purposes of Listing 2.02 and reconsider and explain the evidence concerning Cruz's visual and foot impairments, their worsening, and their impact on the RFC. The findings and recommendations directed entry of judgment in favor of Cruz and against the Commissioner, subject to review by the assigned district judge.

CASES CITED

- Tackett v. Apfel, 180 F.3d 1094, 1097 (9th Cir. 1999)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Saelee v. Chater, 94 F.3d 520, 522 (9th Cir. 1996)
- Robbins v. Social Security Admin., 466 F.3d 880, 882 (9th Cir. 2006)
- Jamerson v. Chater, 112 F.3d 1064, 1066 (9th Cir. 1997)
- Garrison v. Colvin, 759 F.3d 995, 1011 (9th Cir. 2014)
- Lewis v. Apfel, 236 F.3d 503, 512 (9th Cir. 2001)
- Marcia v. Sullivan, 900 F.2d 172, 176 (9th Cir. 1990)
- Kruchek v. Barnhart, 125 F. App'x 825, 827 (9th Cir. 2005)
- Magallanes v. Bowen, 881 F.2d 747, 751 (9th Cir. 1989)
- DeLorme v. Sullivan, 924 F.2d 841, 849 (9th Cir. 1991)
- McLeod v. Astrue, 640 F.3d 881, 885 (9th Cir. 2011)
- Rounds v. Comm'r Soc. Sec. Admin., 807 F.3d 996, 1006 (9th Cir. 2015)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

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