

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Steven B. v. Commissioner Social Security Administration

No. 2:24-cv-01907-SB (D. Or. Feb. 4, 2026) · No. 2:24-cv-01907-SB · Decided February 4, 2026

SUMMARY

The U.S. District Court for the District of Oregon reviews the Commissioner of Social Security’s denial of Steven B.’s application for Disability Insurance Benefits. The court holds that the administrative law judge did not commit harmful legal error in evaluating the Listings, medical opinion evidence, subjective symptom testimony, or step-five determination, and affirms the Commissioner’s decision. The opinion specifically addresses the materiality of Plaintiff’s substance use and his residual functional capacity if substance use ceased.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                    |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Oregon                                                                                                                                                                                            |
| WRITING FOR THE COURT | Stacie F. Beckerman                                                                                                                                                                                                                                |
| JURISDICTION          | U.S. District Court for the District of Oregon                                                                                                                                                                                                     |
| DECIDED               | February 4, 2026                                                                                                                                                                                                                                   |
| DOCKET                | 2:24-cv-01907-SB                                                                                                                                                                                                                                   |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | Plaintiff sought judicial review under 42 U.S.C. §§ 405(g) and 1383(c) (3) of the Commissioner's final decision denying his application for Disability Insurance Benefits.                                                                         |
| STANDARD OF REVIEW    | The court reviews the Commissioner's decision for substantial evidence and legal error, defers to the agency's credibility determinations and resolution of conflicts and ambiguities, and affirms despite legal error when the error is harmless. |
| PRECEDENTIAL VALUE    | unknown                                                                                                                                                                                                                                            |
| PARTIES               | Steven B. v. Commissioner Social Security Administration                                                                                                                                                                                           |

TOPICS

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

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the ALJ adequately analyzed whether Plaintiff met or equaled Listings 12.04 and 12.15 absent substance use.
2. Whether the ALJ properly evaluated the persuasiveness of treating psychiatrist Joel Rice's medical opinion under the revised Social Security regulations.
3. Whether the ALJ provided legally sufficient reasons supported by substantial evidence for discounting Plaintiff's subjective symptom testimony.
4. Whether the ALJ properly resolved any conflict between Plaintiff's residual functional capacity and the reasoning and supervisory requirements of the jobs identified at step five.

## HOLDINGS

1. The ALJ did not err in finding that Plaintiff would not meet or medically equal Listings 12.04 or 12.15 if he stopped using substances. Plaintiff failed to identify evidence establishing all required listing criteria, including the paragraph B or paragraph C criteria.
2. The ALJ reasonably found Dr. Rice's opinion unpersuasive when evaluated in the absence of substance use and other significant treatment noncompliance.
3. The ALJ provided clear and convincing reasons, supported by substantial evidence, for discounting Plaintiff's subjective symptom testimony.
4. The ALJ did not err at step five because the identified jobs require GED Reasoning Level Two, which is consistent with Plaintiff's limitation to simple, routine, and repetitive tasks, and the ALJ reasonably relied on the vocational expert's testimony regarding occasional interaction with supervisors and coworkers.

## KEY QUOTATIONS

*"For the reasons stated, the Court AFFIRMS the Commissioner's decision because it is free of harmful legal error and supported by substantial evidence."* (Conclusion)

*"The Court finds that the ALJ reasonably relied on the VE's expert opinion, and that the ALJ's step five analysis is supported by substantial evidence."* (Discussion IV.C)

## FACTUAL BACKGROUND

Steven B. alleged disability from bipolar disorder with psychotic features and post-traumatic stress disorder, with an onset date of September 10, 2020, and a date last insured of March 31, 2021. The ALJ found that Plaintiff's bipolar disorder, PTSD, and polysubstance abuse satisfied Listing 12.04 when substance use was considered, but that Plaintiff would not meet a listing and could perform other work if he stopped using substances. The ALJ concluded that substance use was material to the disability determination and identified janitor, hand packager, and automobile detailer positions that Plaintiff could perform. The district court upheld the ALJ's evaluation of the medical opinion evidence, subjective symptom testimony, and step-five vocational findings.

## PROCEDURAL HISTORY

The Commissioner denied Plaintiff's application initially and on reconsideration. After a hearing, an ALJ denied benefits, and the Appeals Council denied review, making the ALJ's decision the Commissioner's final decision. The district court affirmed the Commissioner's decision.

## DISPOSITION

affirmed

## CASES CITED

- Treichler v. Comm'r of Soc. Sec. Admin., 775 F.3d 1090, 1098 (9th Cir. 2014)
- Consolo v. Fed. Mar. Comm'n, 383 U.S. 607, 621 (1966)
- Brown-Hunter v. Colvin, 806 F.3d 487, 492 (9th Cir. 2015)
- Smith v. Kijakazi, 14 F.4th 1108, 1111 (9th Cir. 2021)
- Molina v. Astrue, 674 F.3d 1104, 1111 (9th Cir. 2012)
- Keyser v. Comm'r Soc. Sec. Admin., 648 F.3d 721, 724-25 (9th Cir. 2011)
- Burch v. Barnhart, 400 F.3d 676, 679-83 (9th Cir. 2005)
- Sullivan v. Zebley, 493 U.S. 521, 530-31 (1990)
- Kennedy v. Colvin, 738 F.3d 1172, 1176 (9th Cir. 2013)
- Woods v. Kijakazi, 32 F.4th 785, 787, 791-92 (9th Cir. 2022)
- Cross v. O'Malley, 89 F.4th 1211, 1214-15 (9th Cir. 2024)
- Stiffler v. O'Malley, 102 F.4th 1102, 1106 (9th Cir. 2024)
- Kitchen v. Kijakazi, 82 F.4th 732, 740 (9th Cir. 2023)
- Trevizo v. Berryhill, 871 F.3d 664, 678 (9th Cir. 2017)
- Ghanim v. Colvin, 763 F.3d 1154, 1163 (9th Cir. 2014)
- Wellington v. Berryhill, 878 F.3d 867, 876 (9th Cir. 2017)
- Burrell v. Colvin, 775 F.3d 1133, 1137-38 (9th Cir. 2014)
- Garrison v. Colvin, 759 F.3d 995, 1014, 1016-18 (9th Cir. 2014)
- Zavalin v. Colvin, 778 F.3d 842, 845-47 (9th Cir. 2015)
- Leach v. Kijakazi, 70 F.4th 1251, 1256-57 (9th Cir. 2023)
- Lucy v. Chater, 113 F.3d 905, 909 (8th Cir. 1997)
- Bayliss v. Barnhart, 427 F.3d 1211, 1217 (9th Cir. 2005)
- Diedrich v. Berryhill, 874 F.3d 634, 643 (9th Cir. 2017)

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