

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

G.P. v. Leland Dudek, et al.

G.P. v. Leland Dudek, No. 24-cv-00088-VKD (N.D. Cal. Mar. 28, 2025) · No. 24-cv-00088-VKD · Decided March 28, 2025

SUMMARY

The United States District Court for the Northern District of California grants G.P.’s appeal from the denial of Social Security benefits. The court concludes that the administrative law judge failed to explain why portions of medical opinions deemed persuasive were omitted from the residual functional capacity assessment, and that the record establishes disability even without substance use. The court reverses the administrative decision and remands for determination of the disability onset date and calculation of benefits.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 28, 2025
DOCKET	24-cv-00088-VKD
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying child disability insurance benefits and supplemental security income. The parties agreed that the administrative law judge committed reversible error but disputed whether remand should be for further proceedings or calculation and payment of benefits.
STANDARD OF REVIEW	The court reviews the Commissioner's decision for substantial evidence and legal error, considering the administrative record as a whole. Where the evidence permits more than one rational interpretation, the court defers to the Commissioner's decision.
PRECEDENTIAL VALUE	unpublished district court order; persuasive rather than precedential
PARTIES	G.P. v. Leland Dudek, Acting Commissioner of Social Security, et al.

TOPICS

judicial review of agency action

administrative law

remedies

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ committed reversible error by adopting an RFC that omitted limitations identified in medical opinions the ALJ found persuasive.
2. Whether the record was sufficiently developed to warrant remand for an award and calculation of benefits rather than further administrative proceedings.
3. Whether G.P.'s substance use was material to the disability determination when the limitations identified during a period of sobriety were fully credited.
4. Whether remand was necessary to determine the disability onset date before calculating benefits.

HOLDINGS

1. The ALJ committed reversible error by relying on the opinions of Drs. Mary Ann Vigilanti and Nadine J. Genece while omitting limitations those opinions identified, including limitations concerning workplace stress, reliable attendance, and other work-related functioning, without explanation.
2. Remand for calculation and payment of benefits was warranted because the record was sufficiently developed, the vocational-expert testimony established that the additional limitations would eliminate all employment, and no further administrative proceedings were necessary to resolve the materiality issue.
3. Substance use was not material to the disability determination on the record presented because, even during a period of sobriety, G.P. would remain unable to perform work in the national economy if the persuasive medical opinions were fully credited.
4. The matter had to be remanded for determination of the disability onset date because the ALJ rejected or failed to adopt the alleged March 31, 2004 onset date but made no alternative onset-date finding.

KEY QUOTATIONS

“Thus, because G.P. would be disabled even in the absence of substance use, his substance use is not material to the disability determination in this case according to the applicable regulations.” (at 8 of Discussion)

“For the reasons explained above, G.P.’s appeal is granted. The Court reverses the ALJ’s decision and remands the matter for determination of the date of onset of G.P.’s disability and for calculation of benefits.” (Conclusion)

FACTUAL BACKGROUND

G.P. applied for child disability insurance benefits and SSI, alleging disability beginning March 31, 2004 based on numerous physical and mental impairments, including bipolar disorder, epilepsy, heart and organ failure, and

substance-use-related conditions. The ALJ found that G.P.'s impairments met a listing when substance use was included, but concluded that he would not be disabled if he stopped using substances. The ALJ adopted an RFC that included one absence per month and limited public interaction, but did not incorporate all limitations identified by medical opinions the ALJ deemed persuasive. The record included vocational-expert testimony that either two absences per month or no interaction with the general public would eliminate all employment.

PROCEDURAL HISTORY

G.P.'s applications were denied initially and on reconsideration. After a September 16, 2022 hearing, the ALJ issued an unfavorable decision on January 18, 2023, and the Appeals Council denied review. G.P. filed this action, and the parties agreed that remand was required. The court granted the appeal, remanded for determination of the disability onset date and calculation of benefits, and directed the clerk to enter judgment and close the case.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for determination of the date of disability onset and calculation of benefits consistent with the order. No further development of the record or additional administrative proceedings were required on the RFC and substance-use materiality issues.

CASES CITED

- Ahearn v. Saul, 988 F.3d 1111, 1115-16 (9th Cir. 2021)
- Morgan v. Commissioner of Social Security Administration, 169 F.3d 595, 599 (9th Cir. 1999)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Molina v. Astrue, 674 F.3d 1104, 1110-11 (9th Cir. 2012)
- Hammock v. Bowen, 879 F.2d 498, 501 (9th Cir. 1989)
- Ghanim v. Colvin, 763 F.3d 1154, 1160 (9th Cir. 2014)
- Mercado v. Berryhill, No. 16-cv-04200-BLF, 2017 WL 4029222, at *4 (N.D. Cal. Sept. 13, 2017)
- Bray v. Commissioner of Social Security Administration, 554 F.3d 1219, 1222 (9th Cir. 2009)
- Bustamante v. Massanari, 262 F.3d 949, 955 (9th Cir. 2001)
- Jessie L. v. Kijakazi, No. 20-cv-09305-DMR, 2022 WL 2222964, at *2 (N.D. Cal. June 21, 2022)
- Parra v. Astrue, 481 F.3d 742, 744-45, 747 (9th Cir. 2007)
- Leon v. Berryhill, 880 F.3d 1041, 1044-45 (9th Cir. 2017)
- Ryan B. v. O'Malley, No. 23-cv-03644-SI, 2024 WL 4227590, at *3, *6 (N.D. Cal. Sept. 17, 2024)
- Treichler v. Commissioner of Social Security Administration, 775 F.3d
- Tennille S. v. Kijakazi, No. 21-cv-09779-SI, 2023 WL 122396, at *13 (N.D. Cal. Jan. 6, 2023)
- Albert B. v. Kijakazi, No. 5:22-cv-00865-EJD, 2023 WL 6462856, at *7 (N.D. Cal. Sept. 29, 2023)

- Nixon v. Astrue, No. 07-cv-1234 BTM (CAB), 2008 WL 2705164, at *6 (S.D. Cal. July 8, 2008)

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