

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Dawn Gohn v. Frank Bisignano, Commissioner of Social Security

Case No. 4:24-CV-01589-NCC (E.D. Mo. Mar. 31, 2026) · No. 4:24-CV-01589-NCC · Decided March 31, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri reviews the denial of Dawn Gohn’s application for Disability Insurance Benefits. The court concludes that the administrative law judge failed to fully and fairly develop the record and remands the matter for further proceedings, while finding no reversible error in the step-two treatment of fibromyalgia.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Noelle C. Collins
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	March 31, 2026
DOCKET	4:24-CV-01589-NCC
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Action under 42 U.S.C. § 405(g) seeking judicial review of the Commissioner's final decision denying Disability Insurance Benefits. The court reversed and remanded under sentence four of § 405(g).
STANDARD OF REVIEW	Whether the Commissioner's decision is supported by substantial evidence and whether the ALJ applied the proper legal standards. The court may not reweigh the evidence or conduct a de novo review of the factual record.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; precedential status not established in the source.
PARTIES	Dawn Gohn v. Frank Bisignano, Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

Social Security disability benefits

administrative law

judicial review of agency action

civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ erred by failing to find fibromyalgia a severe impairment at step two of the sequential evaluation.
2. Whether the ALJ failed to fully and fairly develop the record concerning Gohn's functional limitations from plantar fasciitis.
3. Whether the ALJ's residual functional capacity assessment was supported by substantial evidence, particularly the six-hour standing and walking limitation.

HOLDINGS

1. The ALJ did not commit reversible error by failing to identify fibromyalgia as a severe impairment. The record contained insufficient evidence to establish fibromyalgia as a medically determinable impairment under SSR 12-2p, and any step-two error was harmless because the ALJ proceeded through the sequential evaluation and considered the claimant's pain and symptoms in assessing the other impairments.
2. The ALJ failed to fully and fairly develop the record regarding the functional limitations imposed by Gohn's plantar fasciitis.
3. The RFC assessment was not supported by substantial evidence because the record did not adequately support the conclusion that Gohn could stand or walk for approximately six hours in an eight-hour workday.

KEY QUOTATIONS

"The fatal flaw is that the ALJ's assessment is not supported by this opinion evidence, because the ALJ determined these opinions were unpersuasive." (Section IV.B)

"The Court concludes 'the absence of evidence to suggest the accuracy or propriety of the 6-hour limitation demonstrates that the ALJ did not fulfill the duty to fully develop the record.'" (Section IV.B)

"Accordingly, IT IS HEREBY ORDERED that this action is REVERSED AND REMANDED to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further consideration in accordance with this Memorandum and Order." (Conclusion)

FACTUAL BACKGROUND

Gohn alleged disability beginning January 1, 2020, based principally on degenerative disc disease and plantar fasciitis. The ALJ found those conditions severe, assessed a residual functional capacity for light work with additional limitations, and determined that Gohn could perform jobs such as marker, router, and routing clerk. The administrative record contained persistent complaints of bilateral foot pain and evidence of plantar fasciitis, but no reliable medical evidence specifically supporting the ALJ's conclusion that Gohn could stand or walk for approximately six hours in an eight-hour workday.

PROCEDURAL HISTORY

Gohn protectively filed for Disability Insurance Benefits on April 26, 2022. The claims were initially denied and denied again on reconsideration. Following an administrative hearing, the ALJ found Gohn not disabled on November 27, 2023, and the Appeals Council denied review on October 8, 2024. The district court concluded that the ALJ failed to fully and fairly develop the record concerning the functional limitations caused by plantar fasciitis and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must more fully develop and evaluate the record concerning the functional limitations imposed by plantar fasciitis. The Commissioner should obtain and provide the parties an opportunity to submit medical evidence addressing Gohn's ability to function in the workplace, which may include contacting health-care providers to clarify her limitations and restrictions. After receiving additional evidence, the ALJ must reconsider the record as a whole, reassess the RFC, and explain how the evidence supports each RFC conclusion.

CASES CITED

- Goff v. Barnhart, 421 F.3d 785, 790 (8th Cir. 2005)
- Eichelberger v. Barnhart, 390 F.3d 584, 590-91 (8th Cir. 2004)
- Page v. Astrue, 484 F.3d 1040, 1043 (8th Cir. 2007)
- Caviness v. Massanari, 250 F.3d 603, 605 (8th Cir. 2001)
- Nguyen v. Chater, 75 F.3d 429, 430-31 (8th Cir. 1996)
- Steed v. Astrue, 524 F.3d 872, 874 n.3 (8th Cir. 2008)
- Young v. Apfel, 221 F.3d 1065, 1069 n.5 (8th Cir. 2000)
- Harris v. Barnhart, 356 F.3d 926, 931 n.2 (8th Cir. 2004)
- Stormo v. Barnhart, 377 F.3d 801, 806 (8th Cir. 2004)
- Clark v. Heckler, 733 F.2d 65, 68 (8th Cir. 1984)
- Krogmeier v. Barnhart, 294 F.3d 1019, 1022 (8th Cir. 2002)
- Cox v. Astrue, 495 F.3d 614, 617, 619 (8th Cir. 2007)
- Davis v. Apfel, 239 F.3d 962, 966 (8th Cir. 2001)
- McKinney v. Apfel, 228 F.3d 860, 863 (8th Cir. 2000)
- Masterson v. Barnhart, 363 F.3d 731, 736 (8th Cir. 2004)
- Dunahoo v. Apfel, 241 F.3d 1033, 1039-40 (8th Cir. 2001)
- Gregg v. Barnhart, 354 F.3d 710, 713 (8th Cir. 2003)
- Pena v. Chater, 76 F.3d 906, 909 (8th Cir. 1996)
- Buol v. Saul, 2020 WL 2172300, at *4 (N.D. Iowa Apr. 20, 2020)

- Garza v. Barnhart, 397 F.3d 1087, 1089 (8th Cir. 2005)
- Berry v. Colvin, 2016 WL 7741739, at *11-*12 (S.D. W. Va. Dec. 22, 2016)
- Olmstead v. Saul, 2020 WL 1284014, at *3-*4 (W.D.N.Y. Mar. 18, 2020)
- Haynes v. Saul, 2020 WL 5569984, at *3-*5 (E.D. Mo. Sept. 17, 2020)
- Kendrick B. v. Kijakazi, 2022 WL 2670052, at *4 (D. Minn. July 11, 2022)
- Martise v. Astrue, 641 F.3d 909, 923 (8th Cir. 2011)
- Anderson v. Shalala, 51 F.3d 777, 779 (8th Cir. 1995)
- Lauer v. Apfel, 245 F.3d 700, 704 (8th Cir. 2001)
- Singh v. Apfel, 222 F.3d 448, 451 (8th Cir. 2000)
- Hutsell v. Massanari, 259 F.3d 707, 711-12 (8th Cir. 2001)
- Nevland v. Apfel, 204 F.3d 853, 858 (8th Cir. 2000)
- Mabry v. Colvin, 815 F.3d 386, 390 (8th Cir. 2016)
- Bauer v. Kijakazi, 2022 WL 1136140, at *5 (E.D. Mo. Apr. 18, 2022)
- Fisher v. Kijakazi, 2022 WL 873347, at *6-*7 (E.D. Mo. Mar. 24, 2022)
- Estabrook v. Apfel, 14 F. Supp. 2d 1115, 1122 (S.D. Iowa 1998)
- Sieveking v. Astrue, 2008 WL 415674, at *9 (E.D. Mo. Sept. 2, 2008)
- McCoy v. Astrue, 648 F.3d 605, 612 (8th Cir. 2011)
- Walker v. Kijakazi, 2022 WL 3036639, at *6 (W.D. Mo. Aug. 1, 2022)
- Coleman v. Astrue, 498 F.3d 767 (8th Cir. 2007)
- Smith v. Barnhart, 435 F.3d 926, 930-31 (8th Cir. 2006)
- Hirner v. Saul, 2022 WL 3153720, at *10 (E.D. Mo. Aug. 8, 2022)

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