

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Crystal S. R. v. Commissioner of Social Security Administration

No. 2:25-cv-00326-JR (D. Or. Feb. 27, 2026) · No. 2:25-cv-00326-JR · Decided February 27, 2026

SUMMARY

The United States District Court for the District of Oregon reviewed the Commissioner of Social Security’s denial of Crystal S. R.’s application for Supplemental Security Income. The court held that any error concerning the order-clerk occupation was harmless because other occupations provided a significant number of jobs, and it rejected the challenge to the vocational expert’s job-number estimates. The Commissioner’s decision was affirmed and the case was dismissed.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Jolie A. Russo
JURISDICTION	United States District Court for the District of Oregon
DECIDED	February 27, 2026
DOCKET	2:25-cv-00326-JR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Action for judicial review of the Commissioner's final decision denying plaintiff's application for Supplemental Security Income. Plaintiff challenged the ALJ's step-five findings concerning conflicts between the residual functional capacity and vocational evidence and the reliability of job-number estimates.
STANDARD OF REVIEW	The court reviewed the Commissioner's decision under the substantial-evidence standard and determined whether the ALJ applied the correct legal standards. At step five, the Commissioner bears the burden of showing that other work exists in significant numbers that the claimant can perform.
PRECEDENTIAL VALUE	Unknown; district court opinion with no reported citation identified.
PARTIES	Crystal S. R. v. Commissioner of Social Security Administration

TOPICS

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

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ harmlessly erred by finding that plaintiff could perform the order-clerk occupation despite the conflict between the RFC limitation to simple, routine tasks and the occupation's reasoning-level-three requirement.
2. Whether Job Browser Pro printouts and counsel's explanation submitted to the Appeals Council constituted significant and probative evidence requiring the ALJ's step-five job-number finding to be reconsidered or remanded.

HOLDINGS

1. The ALJ erred in finding that plaintiff could perform the order-clerk occupation because reasoning level three is inconsistent with a limitation to simple, routine tasks, but the error was harmless because the ALJ properly identified two additional occupations—assembler and inspector—with a combined 28,000 national jobs.
2. The Job Browser Pro printouts and counsel's accompanying explanation did not constitute significant and probative evidence sufficient to undermine the ALJ's step-five finding or require remand.

KEY QUOTATIONS

“In sum, plaintiff’s evidence is neither probative nor significant under Wischman or District precedent and therefore substantial evidence supports the ALJ’s step five finding.” (Discussion)

“A software program, however, is merely a tool that must be used appropriately to produce reliable results.” (Discussion)

“For the reasons stated above, the Commissioner’s decision is AFFIRMED, and this case is DISMISSED.” (Conclusion)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning June 25, 2020, based on diabetes, neuropathy, connective tissue disease, sleep apnea, and gastroparesis. The ALJ found several severe impairments and limited plaintiff to sedentary work with additional physical, restroom-access, and simple-task restrictions. Relying on vocational-expert testimony, the ALJ found that plaintiff could perform work as an order clerk, assembler, and inspector, totaling 62,000 national jobs. Plaintiff later submitted Job Browser Pro printouts to the Appeals Council asserting substantially lower job numbers.

PROCEDURAL HISTORY

Plaintiff's application was denied initially and on reconsideration. Following an October 2, 2023 hearing, the ALJ found plaintiff not disabled on December 28, 2023. The Appeals Council denied review, and plaintiff filed this action. The district court affirmed the Commissioner's decision and dismissed the case.

DISPOSITION

affirmed

CASES CITED

- Zavalin v. Colvin, 778 F.3d 842, 845-47 (9th Cir. 2015)
- Meanel v. Apfel, 172 F.3d 1111, 1115 (9th Cir. 1999)
- Gutierrez v. Comm'r of Soc. Sec., 740 F.3d 519, 529 (9th Cir. 2014)
- Ford v. Saul, 950 F.3d 1141, 1060 (9th Cir. 2020)
- Shaibi v. Berryhill, 883 F.3d 1102, 1110 (9th Cir. 2017)
- Wischmann v. Kijakazi, 68 F.4th 498, 506-07 (9th Cir. 2023)
- Kilpatrick v. Kijakazi, 35 F.4th 1187, 1193 (9th Cir. 2022)
- Daniele P. v. Comm'r of Soc. Sec. Admin., 2024 WL 1928747, at *3 (D. Or. May 1, 2024)
- Brian J. v. Comm'r, Soc. Sec. Admin., 2024 WL 4215646, at *9 (D. Or. Sept. 17, 2024)
- Rachel W. v. Comm'r of Soc. Sec. Admin., 2024 WL 5505874, at *5 (D. Or. Apr. 9, 2024), aff'd, 2025 WL 999478 (9th Cir. Apr. 3, 2025)

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