

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

T.B.W. v. Frank Bisignano, Commissioner of Social Security

Civil Action No. 25-cv-02705-STV · No. 25-cv-02705-STV · Decided April 30, 2026

SUMMARY

The United States District Court for the District of Colorado reviewed the Commissioner of Social Security’s denial of T.B.W.’s application for supplemental security income. The court held that the ALJ adequately evaluated the claimant’s migraines, including whether they medically equaled Listing 11.02 and the consistency of the claimant’s symptom statements with the record. The court affirmed the Commissioner’s decision.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Scott T. Varholak
JURISDICTION	United States District Court for the District of Colorado
DECIDED	April 30, 2026
DOCKET	25-cv-02705-STV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying her application for supplemental security income under Title XVI of the Social Security Act. The parties consented to proceed before the magistrate judge for all proceedings and entry of final judgment.
STANDARD OF REVIEW	The court reviews whether the Commissioner applied the correct legal standards and whether the factual findings are supported by substantial evidence. The court may not reweigh the evidence or substitute its judgment for the Commissioner's.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only
PARTIES	T.B.W. v. Frank Bisignano, Commissioner of Social Security

TOPICS

- judicial review of agency action
- administrative law
- disability definition

PRACTICE AREAS

Social Security

administrative law

disability benefits

QUESTIONS PRESENTED

1. Whether the administrative law judge adequately explained the conclusion that Plaintiff's migraines did not meet or medically equal Listing 11.02.
2. Whether the administrative law judge properly evaluated Plaintiff's statements concerning the intensity, persistence, and limiting effects of her migraine symptoms.

HOLDINGS

1. The administrative law judge did not err in determining that Plaintiff's migraines did not meet or medically equal Listing 11.02 because the record contained no evidence of the altered consciousness required for dyscognitive seizures under Listing 11.02B.
2. The administrative law judge properly evaluated Plaintiff's statements about the limiting effects of her migraines and reasonably found that the medical and other evidence did not support the degree of limitation alleged.

KEY QUOTATIONS

"But these assertions do not demonstrate that the migraines caused an altered consciousness, nor is there any evidence of such in the record." (III.A)

"The possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's findings from being supported by substantial evidence." (III.B)

FACTUAL BACKGROUND

Plaintiff alleged disability based on numerous conditions, including migraines, fibromyalgia, diabetes, depression, anxiety, cervical degenerative spondylosis, and other impairments. The administrative law judge found migraines to be a severe impairment but determined that Plaintiff retained the residual functional capacity for light work with physical, environmental, and mental limitations, including the use of room-darkening glasses in bright environments. Plaintiff reported frequent, severe migraines, but the record also reflected some improvement with medication and no evidence that the migraines caused altered consciousness. The administrative law judge denied benefits at step five based on vocational-expert testimony that Plaintiff could perform several jobs existing in significant numbers in the national economy.

PROCEDURAL HISTORY

Plaintiff applied for supplemental security income on September 19, 2022. The application was denied initially and on reconsideration. After a hearing, the administrative law judge denied benefits on December 17, 2024, and the Appeals Council denied review on July 1, 2025. Plaintiff filed this action on August 29, 2025, and the district court affirmed the Commissioner's decision.

DISPOSITION

affirmed

CASES CITED

- Lax v. Astrue, 489 F.3d 1080, 1084 (10th Cir. 2007)
- Hackett v. Barnhart, 395 F.3d 1168, 1171-72 (10th Cir. 2005)
- Grogan v. Barnhart, 399 F.3d 1257, 1261-62 (10th Cir. 2005)
- Bailey v. Berryhill, 250 F. Supp. 3d 782, 784 (D. Colo. 2017)
- Wells v. Colvin, 727 F.3d 1061, 1064 n.1 (10th Cir. 2013)
- Ryan v. Colvin, 214 F. Supp. 3d 1015, 1018 (D. Colo. 2016)
- Casias v. Secretary of Health & Human Services, 933 F.2d 799, 801 (10th Cir. 1991)
- Vallejo v. Berryhill, 849 F.3d 951, 954 (10th Cir. 2017)
- Nguyen v. Shalala, 43 F.3d 1400, 1402 (10th Cir. 1994)
- Winfrey v. Chater, 92 F.3d 1017, 1019 (10th Cir. 1996)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Wall v. Astrue, 561 F.3d 1048, 1052 (10th Cir. 2009)
- Musgrave v. Sullivan, 966 F.2d 1371, 1374 (10th Cir. 1992)
- Flaherty v. Astrue, 515 F.3d 1067, 1070 (10th Cir. 2007)
- Fischer-Ross v. Barnhart, 431 F.3d 729, 732 (10th Cir. 2005)
- Howarth v. Berryhill, No. 3:16-CV-1844 (JCH), 2017 WL 6527432, at *8 (D. Conn. Dec. 21, 2017)
- D.M.M. v. Bisignano, No. 24-cv-02293-TPO, 2025 WL 2793063, at *6-*7 (D. Colo. Sept. 25, 2025)
- R.L.M. v. Kijakazi, No. 22-cv-03179-NYW, 2023 WL 8355963, at *5 (D. Colo. Dec. 1, 2023)
- Heather B. v. Bisignano, No. 24-2434-JWL, 2025 WL 1953527, at *8, *10 (D. Kan. July 16, 2025)
- Branum v. Barnhart, 385 F.3d 1268, 1273 (10th Cir. 2004)
- Newland v. Saul, No. 4:19-cv-00095-PK, 2020 WL 4904082, at *4 (D. Utah Aug. 19, 2020)
- Parker v. Berryhill, No. 16-cv-2378-WJM, 2017 WL 3315625, at *4 & n.7 (D. Colo. Aug. 3, 2017)
- Mirabal v. Colvin, No. 1:15-cv-00869-LF, 2016 WL 8230702, at *4-*5 & n.6 (D.N.M. Dec. 30, 2016)
- Wagner v. Berryhill, No. CIV-16-154-CG, 2017 WL 3981147, at *8 (W.D. Okla. Sept. 11, 2017)
- Giuliano v. Colvin, 577 F. App'x 859, 863 (10th Cir. 2014)
- Keyes-Zachary v. Astrue, 695 F.3d 1156, 1167 (10th Cir. 2012)