

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Paeng See v. Commissioner of Social Security

No. 1:24-cv-01516-JLT-GSA (E.D. Cal. Jan. 16, 2026) · No. 1:24-cv-01516 JLT GSA · Decided January 16,
2026

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a Social Security appeal. The court granted Plaintiff Paeng See’s motion for summary judgment, denied the Commissioner’s request to affirm the administrative decision, and remanded the matter for further proceedings under sentence four of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 16, 2026
DOCKET	1:24-cv-01516 JLT GSA
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of the denial of her application for supplemental security income under Title XVI of the Social Security Act. After the magistrate judge recommended granting Plaintiff's motion for summary judgment and remanding the matter, neither party objected. The district court conducted de novo review, adopted the Findings and Recommendations, granted Plaintiff's motion, denied the Commissioner's request to affirm, and remanded under sentence four of 42 U.S.C. § 405(g).
STANDARD OF REVIEW	The district court conducted de novo review under 28 U.S.C. § 636(b) (1) and reviewed the administrative decision for the issues addressed in the Findings and Recommendations, including whether the ALJ's mental residual functional capacity determination was supported by substantial evidence.
PRECEDENTIAL VALUE	Unknown

PARTIES

Paeng See v. Commissioner of Social Security

TOPICS

judicial review of agency action

agency adjudication

summary judgment

administrative law

remedies

PRACTICE AREAS

Social Security

administrative law

civil procedure

judicial review

QUESTIONS PRESENTED

1. Whether the ALJ's mental residual functional capacity determination was supported by substantial evidence in light of the medical-opinion evidence and Plaintiff's later ileostomy.
2. Whether the matter should be remanded under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

HOLDINGS

1. The ALJ erred in evaluating the medical evidence supporting Plaintiff's mental residual functional capacity determination, and the administrative decision could not be affirmed on the record reviewed by the court.
2. Sentence-four remand was appropriate for the ALJ to conduct a new hearing, issue a new decision, develop the record as necessary, and conduct further proceedings consistent with the court's findings.

KEY QUOTATIONS

“The matter is REMANDED for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g), consistent with the Court’s findings.” (at 2)

FACTUAL BACKGROUND

Paeng See applied for supplemental security income under Title XVI of the Social Security Act. The ALJ evaluated her mental residual functional capacity using non-examining assessments from Drs. Bergmann-Harms and Virk and an examining opinion from Tania Shertock, Ph.D., which the ALJ found not persuasive. All three medical opinions predated Plaintiff's September 2022 ileostomy, which the magistrate judge identified as a significant development associated with worsening depression and pain.

PROCEDURAL HISTORY

An administrative law judge denied Plaintiff's application for supplemental security income after evaluating her mental residual functional capacity. Plaintiff filed this action for judicial review and challenged the ALJ's evaluation of the medical-opinion evidence. The magistrate judge found error in the ALJ's evaluation of the opinions and recommended summary judgment for Plaintiff and remand. The district court adopted those recommendations in full and directed entry of judgment for Plaintiff.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The ALJ must conduct a new hearing, issue a new decision, develop the record as necessary, and otherwise conduct further proceedings consistent with the court's findings.

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

OPINION

Paeng See v. Commissioner of Social Security

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 PAENG SEE,) Case No.: 1:24-cv-01516 JLT GSA) 12 Plaintiff,) ORDER ADOPTING
FINDINGS AND

) RECOMMENDATIONS, GRANTING

13 v.) PLAINTIFF'S APPEAL, DENYING THE

) COMMISSIONER'S REQUEST TO AFFIRM,

14 COMMISSIONER OF SOCIAL SECURITY,) AND REMANDING THE MATTER
PURSUANT

) TO SENTENCE FOUR OF 42 U.S.C. § 405(g)

15 Defendant.)

) ORDER DIRECTING ENTRY OF JUDGMENT

16) IN FAVOR OF PLAINTIFF AND AGAINST

) DEFENDANT

17)) (Docs. 15, 17, 20) 18) 19 Paeng See seeks judicial review of the administrative decision denying her application for 20 supplemental security income under Title XVI of the Social Security Act, asserting the administrative 21 law judge's mental residual functional capacity1 determination was not supported by substantial 22 evidence. (See generally Docs. 1, 15.) The magistrate judge found that the ALJ erred in evaluating the 23 evidence; in particular, the non-examining assessments of State agency consultants, Drs. Bergmann- 24 Harms and Virk, which "largely supported" the ALJ's determinations, and the opinion of examining 25 doctor, Tania Shertock, Ph.D, which the ALJ found "not persuasive." (See Doc. 20 at 9-13; AR 24.) 26 The magistrate judge further emphasized that all three medical opinions predated Plaintiff's 27 28 1 Residual functional capacity (RFC) is "the most [one] can still do despite [his or her] limitations."

20 C.F.R. § 416.945(a)(1). 1 || ileostomy in September 2022, a “significant development causing Plaintiff worsening depression and 2 || pain.” (Doc. 20 at 9; see also id. at 9-13.) The magistrate judge found remand was appropriate for the 3 || ALJ to “conduct a new hearing, issue a new decision, develop the record as necessary, and otherwise 4 || conduct further proceedings....” (/d. at 13.) Therefore, the magistrate judge recommended the Court 5 || grant Plaintiff’s motion for summary judgment and remand the matter. (/d. at 13-14.) 6 The Court served the Findings and Recommendations on the parties and notified them that an 7 || objections were due within 14 days. (Doc. 20 at 14.) The Court also advised the parties that the “failu 8 || to file objections within the specified time may result in the waiver of rights on appeal.” □□□□□ citing 9 || *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Neither party filed objections, and the 10 || time to do so has passed. 11 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. Havi 12 || carefully reviewed the matter, the Court concludes the Findings and Recommendations are supported 13 || by the record and proper analysis. Thus, the Court ORDERS: 14 1. The Findings and Recommendations dated December 22, 2025 (Doc. 20) are 15 ADOPTED in full. 16 2. Plaintiff’s motion for summary judgment (Doc. 15) is GRANTED. 17 3. Defendant’s cross-motion to affirm the administrative decision (Doc. 17) is DENIED. 18 4. The matter is REMANDED for further proceedings pursuant to sentence four of 42 19 U.S.C. § 405(g), consistent with the Court’s findings. 20 5. The Clerk of Court is DIRECTED to terminate all pending motions; to enter judgment 21 in favor of Plaintiff Paeng See and against Defendant Commissioner of Social Security 22 and to close this case. 23 24 IS SO ORDERED. 25 || Dated: _ January 16, 2026 (LAW pA L. wan
26 TED STATES DISTRICT JUDGE
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