

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE

Audrey Marie Plummer v. Commissioner of Social Security

Plummer · No. 2:25-cv-00073 · Decided June 9, 2026

SUMMARY

The court granted Audrey Marie Plummer’s motion for judgment on the administrative record and remanded her Social Security disability insurance benefits claim for further administrative proceedings. The court held that the ALJ adequately addressed the consistency of a state-agency medical consultant’s opinion but failed to explain the opinion’s supportability as required by the applicable regulations. This failure prevented meaningful judicial review of the disability determination.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee
WRITING FOR THE COURT	Barbara D. Holmes
JURISDICTION	United States District Court for the Middle District of Tennessee
DECIDED	June 9, 2026
DOCKET	2:25-cv-00073
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner of Social Security's final decision denying disability insurance benefits. The parties consented to final judgment by a United States Magistrate Judge. Plaintiff moved for judgment on the administrative record.
STANDARD OF REVIEW	The court reviewed whether the Commissioner's decision was supported by substantial evidence and whether the proper legal criteria were applied. The court could not try the case de novo, resolve evidentiary conflicts, or decide credibility questions.
PRECEDENTIAL VALUE	Unknown
PARTIES	Audrey Marie Plummer v. Commissioner of Social Security

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the ALJ's evaluation of Dr. McLarnon's prior administrative medical findings complied with the requirement to explain the supportability and consistency factors under 20 C.F.R. § 404.1520c.
2. Whether the ALJ's residual functional capacity determination was supported by substantial evidence.
3. Whether remand was required because the ALJ failed to explain the supportability of Dr. McLarnon's opinion.

HOLDINGS

1. The ALJ sufficiently explained the consistency factor by identifying later medical evidence and the totality of the record as contradicting or weakening Dr. McLarnon's sedentary-work assessment.
2. The ALJ failed to explain whether and why Dr. McLarnon's opinion was supported by her own findings and explanations, as required by 20 C.F.R. § 404.1520c(b)(2).
3. Remand to the Social Security Administration was required for further administrative proceedings consistent with the memorandum opinion.

KEY QUOTATIONS

“In other words, supportability addresses whether a medical professional has sufficient justification for their own conclusions.” (at 10)

“However, an ALJ’s mere reference to new evidence, without more, does not address whether Dr. McLarnon had “sufficient justification” for her conclusion.” (at 11)

“Accordingly, the Court cannot find that the ALJ appropriately weighed Dr. McLarnon’s opinion because the ALJ failed to consider the supportability factor as required under the regulations.” (at 12)

FACTUAL BACKGROUND

Plummer alleged disability beginning July 1, 2021, based on urinary tract infections, kidney stones, neck and back injuries and pain, and sleeplessness. The ALJ found severe impairments involving the skeletal spine, status-post cervical fusion, and recurrent urinary tract infections and kidney stones, but determined that Plummer retained the residual functional capacity for a limited range of light work. A state-agency consultant, Mary McLarnon, M.D., had opined that Plummer was limited to sedentary work, while the ALJ found that opinion unpersuasive based on later evidence and the totality of the record.

PROCEDURAL HISTORY

Plummer applied for disability insurance benefits, and the claim was denied initially and on reconsideration. Following two administrative hearings, an ALJ denied the claim on September 26, 2024. The Appeals Council denied review on June 16, 2025, making the ALJ's decision final. The district court granted Plaintiff's motion and remanded for further administrative proceedings because the ALJ failed to explain the supportability of a state-agency medical consultant's opinion as required by the applicable regulations.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the Social Security Administration for further administrative proceedings consistent with the memorandum opinion, including proper consideration and explanation of the supportability factor for Dr. McLarnon's opinion.

CASES CITED

- Miller v. Commissioner of Social Security, 811 F.3d 825, 833 (6th Cir. 2016)
- Blakley v. Commissioner of Social Security, 581 F.3d 399, 405-06 (6th Cir. 2009)
- Key v. Callahan, 109 F.3d 270, 273 (6th Cir. 1997)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Consolidated Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Rogers v. Commissioner of Social Security, 486 F.3d 234, 241 (6th Cir. 2007)
- LeMaster v. Weinberger, 533 F.2d 337, 339 (6th Cir. 1976)
- Johnson v. Commissioner of Social Security, 652 F.3d 646, 651 (6th Cir. 2011)
- Wilson v. Commissioner of Social Security, 378 F.3d 541, 548 (6th Cir. 2004)
- Jones v. Secretary of Health & Human Services, 945 F.2d 1365, 1369 (6th Cir. 1991)
- Garner v. Heckler, 745 F.2d 383, 387 (6th Cir. 1984)
- Myers v. Richardson, 471 F.2d 1265, 1268 (6th Cir. 1972)
- Houston v. Secretary of Health & Human Services, 736 F.2d 365, 366 (6th Cir. 1984)
- Eslinger v. Commissioner of Social Security, 476 F. App'x 618, 621 (6th Cir. 2012)
- Delgado v. Commissioner of Social Security, 30 F. App'x 542, 547 (6th Cir. 2002)
- Elizabeth A. v. Commissioner of Social Security, 2023 WL 5924414, at *4 (S.D. Ohio Sept. 12, 2023)
- Toennies v. Commissioner of Social Security, 2020 WL 2841379, at *14 (N.D. Ohio June 1, 2020)
- Ryan L.F. v. Commissioner of Social Security, 2019 WL 6468560, at *4 (D. Or. Dec. 2, 2019)
- Lester v. Saul, 2020 WL 8093313, at *14 (N.D. Ohio Dec. 11, 2020), report and recommendation adopted sub nom. Lester v. Commissioner of Social Security, 2021 WL 119287 (N.D. Ohio Jan. 13, 2021)
- Warren I v. Commissioner of Social Security, 2021 WL 860506, at *8 (N.D.N.Y. Mar. 8, 2021)
- Hardy v. Commissioner of Social Security, 554 F. Supp. 3d 900, 906
- Vaughn v. Commissioner of Social Security, 2021 WL 3056108, at *11 (W.D. Tenn. July 20, 2021)

- Todd v. Commissioner of Social Security, 2021 WL 2535580, at *7-8 (N.D. Ohio June 3, 2021)

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