

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Raymond D. v. O'Malley

Raymond D. · No. 24-cv-04209-DMR · Decided September 24, 2025

SUMMARY

The United States District Court for the Northern District of California grants Plaintiff’s motion for summary judgment, denies the Commissioner’s cross-motion, and remands the Social Security disability-benefits case for further proceedings. The court concludes that the ALJ failed to provide specific and legitimate reasons supported by substantial evidence for discounting the opinion of examining psychologist Elizabeth Walser and also addresses the ALJ’s evaluation of Plaintiff’s subjective symptom testimony.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Donna M. Ryu
JURISDICTION	United States District Court for the Northern District of California
DECIDED	September 24, 2025
DOCKET	24-cv-04209-DMR
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of disability benefits. The parties filed cross-motions for summary judgment.
STANDARD OF REVIEW	The court may set aside the Commissioner's decision if the ALJ applied legal standards incorrectly or if the findings are unsupported by substantial evidence in the record as a whole. When an ALJ rejects a claimant's subjective symptom testimony absent affirmative evidence of malingering, the ALJ must provide specific, clear, and convincing reasons. An examining physician's contradicted opinion may be rejected only for specific and legitimate reasons supported by substantial evidence.
PRECEDENTIAL VALUE	unknown
PARTIES	Raymond D. v. Martin O'Malley, Commissioner of Social Security

TOPICS

judicial review of agency action

summary judgment

administrative law

civil procedure

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient reasons supported by substantial evidence for discounting the examining psychologist's medical opinion.
2. Whether the ALJ provided specific, clear, and convincing reasons for rejecting Plaintiff's subjective symptom testimony.
3. Whether the ALJ's paragraph C finding and RFC determination were supported by substantial evidence.
4. Whether the court should remand for further proceedings or direct an award of benefits under the credit-as-true rule.

HOLDINGS

1. The ALJ failed to provide specific and legitimate reasons supported by substantial evidence for giving only partial weight to Dr. Walser's examining opinion while giving great weight to Dr. Lace's non-examining opinion.
2. The ALJ failed to provide specific, clear, and convincing reasons for rejecting Plaintiff's subjective symptom testimony, except with respect to one identified statement concerning conflict with supervisors.
3. The court did not decide the merits of the paragraph C and RFC findings because those determinations depended substantially on the ALJ's reconsideration of the medical opinions and subjective symptom testimony.
4. A direct award of benefits was not warranted because the record was uncertain and ambiguous and outstanding issues remained for the agency to resolve.

KEY QUOTATIONS

“The court finds that the rationales provided by the ALJ are not specific and legitimate reasons supported by substantial evidence to discount Dr. Walser’s opinion.”

“The court finds that the ALJ has not met the “clear and convincing” standard with respect to any other part of his statements or testimony.”

“Where, as in this case, an ALJ makes a legal error, but the record is uncertain and ambiguous, the proper approach is to remand the case to the agency.”

FACTUAL BACKGROUND

Plaintiff alleged disability based primarily on mental impairments, including bipolar II disorder, depressive disorder, generalized anxiety disorder, ADHD, and substance-use disorders. An examining psychologist, Dr. Elizabeth Walser, evaluated Plaintiff while he was incarcerated and found extreme or marked limitations in several work-related mental functions. A non-examining medical expert, Dr. Michael Lace, assessed less severe limitations, and the ALJ adopted an RFC based largely on his opinion while discounting Dr. Walser's opinion and much of Plaintiff's symptom testimony. The district court found that the ALJ inadequately explained the rejection of the examining opinion and subjective testimony.

PROCEDURAL HISTORY

Plaintiff applied for disability benefits in 2017, was denied initially and on reconsideration, and received an unfavorable ALJ decision in 2018. After the Appeals Council denied review, the case was remanded by Judge Thomas S. Hixson in 2020 for further proceedings. Following three additional hearings, the ALJ again denied benefits on March 14, 2024. On review, the court granted Plaintiff's motion for summary judgment, denied the Commissioner's cross-motion, reversed the ALJ's decision, and remanded for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The agency must conduct further administrative proceedings consistent with the order, including reconsideration of Plaintiff's credibility and the medical opinions and determining whether reconsideration of the paragraph C and RFC issues is required.

CASES CITED

- Tackett v. Apfel, 180 F.3d 1094, 1097 (9th Cir. 1999)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Saelee v. Chater, 94 F.3d 520, 522 (9th Cir. 1996)
- Robbins v. Social Security Administration, 466 F.3d 880, 882 (9th Cir. 2006)
- Jamerson v. Chater, 112 F.3d 1064, 1066 (9th Cir. 1997)
- Tommasetti v. Astrue, 533 F.3d 1035, 1038 (9th Cir. 2008)
- Cross v. O'Malley, 89 F.4th 1211, 1214 (9th Cir. 2024)
- Woods v. Kijakazi, 32 F.4th 785, 789 (9th Cir. 2022)
- Lester v. Chater, 81 F.3d 821, 830-31 (9th Cir. 1996)
- Ford v. Saul, 950 F.3d 1141, 1155 (9th Cir. 2020)
- Reddick v. Chater, 157 F.3d 715, 725 (9th Cir. 1998)
- McAllister v. Sullivan, 888 F.2d 599, 602 (9th Cir. 1989)
- Pitzer v. Sullivan, 908 F.2d 502, 506 n.4 (9th Cir. 1990)
- Gallant v. Heckler, 753 F.2d 1450, 1456 (9th Cir. 1984)

- Tonapetyan v. Halter, 242 F.3d 1144, 1149 (9th Cir. 2001)
- Magallanes v. Bowen, 881 F.2d 747, 751-55 (9th Cir. 1989)
- Allen v. Secretary of Health & Human Services, 726 F.2d 1470, 1473 (9th Cir. 1984)
- Fair v. Bowen, 885 F.2d 597, 603 (9th Cir. 1989)
- Greger v. Barnhart, 464 F.3d 968, 972 (9th Cir. 2006)
- Thomas v. Barnhart, 278 F.3d 947, 958 (9th Cir. 2002)
- Smolen v. Chater, 80 F.3d 1273, 1281-84 (9th Cir. 1996)
- Bunnell v. Sullivan, 947 F.2d 341, 345 (9th Cir. 1991) (en banc)
- Burrell v. Colvin, 775 F.3d 1133, 1136 (9th Cir. 2014)
- Lambert v. Saul, 980 F.3d 1266, 1277 (9th Cir. 2020)
- Brown-Hunter v. Colvin, 806 F.3d 487, 493-95 (9th Cir. 2015)
- Petro S. v. Commissioner of Social Security, No. 2:19-CV-1620-DWC, 2020 WL 1062946, at *2 (W.D. Wash. Mar. 5, 2020)
- Buck v. Berryhill, 869 F.3d 1040, 1049 (9th Cir. 2017)
- Baladad v. Saul, No. 19-CV-00246-PJH, 2020 WL 1503654, at *13 (N.D. Cal. Mar. 30, 2020)
- Leon v. Berryhill, 880 F.3d 1041, 1045 (9th Cir. 2018)
- Washington v. Kijakazi, 72 F.4th 1029, 1041 (9th Cir. 2023)
- Treichler v. Commissioner of Social Security Administration, 775 F.3d 1090, 1100-01, 1105 (9th Cir. 2014)