

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA

Melanie S. v. Frank Bisignano, Commissioner of Social Security

Case No. 3:25-cv-00526 · No. 3:25-cv-00526 · Decided April 30, 2026

SUMMARY

This document is a United States Magistrate Judge’s proposed findings and recommendations in a Social Security disability action seeking review of the Commissioner’s denial of disability insurance benefits and supplemental security income. The magistrate judge recommends denying the claimant’s motion for judgment on the pleadings, granting the Commissioner’s motion to affirm, affirming the Commissioner’s decision, and dismissing the action. The recommendations address the ALJ’s evaluation of the claimant’s mental impairments, paragraph B limitations, residual functional capacity, and ability to sustain work activity.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia
WRITING FOR THE COURT	K. Reeder, United States Magistrate Judge
JURISDICTION	United States District Court for the Southern District of West Virginia
DECIDED	April 30, 2026
DOCKET	3:25-cv-00526
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of disability insurance benefits and supplemental security income. The parties filed cross motions for judgment on the pleadings. The magistrate judge issued proposed findings and recommendations recommending denial of Plaintiff's motion, grant of the Commissioner's motion, affirmance of the administrative decision, dismissal, and removal from the docket.
STANDARD OF REVIEW	The court reviewed whether the Commissioner's decision applied the correct law and was supported by substantial evidence. It did not conduct de novo review or reweigh conflicting evidence. Substantial evidence is evidence that a reasoning mind would accept as sufficient to support a conclusion, more than a scintilla but potentially less than a preponderance.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Melanie S. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action administrative law disability definition

PRACTICE AREAS

Social Security disability benefits administrative law judicial review of agency action
mental impairments and residual functional capacity

QUESTIONS PRESENTED

1. Whether the ALJ improperly cherry-picked the evidence when evaluating the paragraph B criteria and failed to account for Plaintiff's psychiatric hospitalizations and more severe symptoms.
2. Whether the ALJ's residual functional capacity assessment adequately incorporated Plaintiff's moderate mental limitations.
3. Whether the ALJ adequately considered Plaintiff's ability to sustain competitive work activity on a regular and continuing basis despite episodic psychiatric exacerbations.
4. Whether the Commissioner's final decision was supported by substantial evidence and applied the correct legal standards.

HOLDINGS

1. The ALJ did not commit reversible error by selectively relying on favorable evidence. The decision acknowledged Plaintiff's psychiatric hospitalizations and serious symptoms, considered later improvement and stability, and reasonably weighed conflicting evidence.
2. The ALJ adequately connected the moderate paragraph B findings to the RFC by limiting Plaintiff to simple, routine tasks, simple work-related decisions, occasional workplace interaction, and few changes in a stable work setting.
3. The ALJ adequately considered and accounted for Plaintiff's ability to perform work on a regular and continuing basis, and the RFC was supported by substantial evidence.

KEY QUOTATIONS

“[C]laimant has the [RFC] to perform medium work as defined in 20 CFR 404.1567(c) and 416.967(c) except she can climb ramps and stairs frequently; climb ladders, ropes, or scaffolds occasionally; maintain balance over narrow, slippery, or erratically moving surfaces frequently; stoop frequently; kneel frequently; crouch frequently; crawl frequently; can work at unprotected heights occasionally work in close proximity to (i.e., within arm's reach of) dangerous moving mechanical parts occasionally; must avoid concentrated exposure to vibration; is able to perform simple, routine tasks; is able to perform simple work-related decisions; is limited to jobs that require no more than occasional interactions with people of the work place

(supervisors, co-workers, and the public); and is able to tolerate few changes in a routine work setting defined as a stable work environment, where work place and work process remain generally the same 2/3 of the time.” (Tr. at 22)

“An RFC assessment represents the most a claimant can do despite her limitations and must reflect the ability to perform work on a “regular and continuing basis,” meaning eight hours a day, five days a week.” (Tr. at 22)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning October 15, 2019, based primarily on anxiety, bipolar disorder, schizophrenia, and a blood-clotting disorder. She experienced psychiatric hospitalizations in 2019 and 2022 involving suicidal ideation, psychosis, catatonic symptoms, and severe depression, but later treatment records documented improvement, stable mood, generally normal mental-status findings, and continued daily activities. The ALJ found severe anxiety, bipolar disorder, post-traumatic stress disorder, blood-clotting disorder, and chronic right popliteal deep-vein thrombosis, assessed moderate limitations in all four paragraph B areas, and limited Plaintiff to medium work with specified physical and mental restrictions.

PROCEDURAL HISTORY

Plaintiff filed applications for DIB and SSI in August 2021. The Social Security Administration denied the applications initially and on reconsideration; after an April 23, 2024 hearing, the ALJ found Plaintiff not disabled on July 24, 2024. The Appeals Council denied review on July 2, 2025, making the ALJ's decision the Commissioner's final decision. Plaintiff then filed this action, and the magistrate judge recommended affirming the Commissioner and dismissing the case.

DISPOSITION

other

CASES CITED

- Blalock v. Richardson, 483 F.2d 773, 775 (4th Cir. 1972)
- McLain v. Schweiker, 715 F.2d 866, 868-69 (4th Cir. 1983)
- McLamore v. Weinberger, 538 F.2d 572, 574 (4th Cir. 1976)
- Hays v. Sullivan, 907 F.2d 1453, 1456 (4th Cir. 1990)
- Laws v. Celebrezze, 368 F.2d 640, 642 (4th Cir. 1966)
- Johnson v. Barnhart, 434 F.3d 650, 653 (4th Cir. 2005)
- Craig v. Chater, 76 F.3d 585, 589 (4th Cir. 1996)
- Lewis v. Berryhill, 858 F.3d 858, 869 (4th Cir. 2017)
- Arakas v. Commissioner, Social Security Administration, 983 F.3d 83, 98 (4th Cir. 2020)
- Keene v. Berryhill, 732 F. App'x 174, 177 (4th Cir. 2018)
- Conner v. Kijakazi, No. 3:21-cv-00022, 2022 WL 873682, at *9 (S.D.W. Va. Mar. 7, 2022)

- Lora H. v. Kijakazi, No. 2:22-cv-00211, 2022 WL 18717795, at *13 (S.D.W. Va. Nov. 2, 2022)
- Shinaberry v. Saul, 952 F.3d 113, 121-22 (4th Cir. 2020)
- Sizemore v. Berryhill, 878 F.3d 72, 80-81 (4th Cir. 2017)
- Monroe v. Colvin, 826 F.3d 176, 189 (4th Cir. 2016)
- Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Wright v. Collins, 766 F.2d 841 (4th Cir. 1985)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)

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