

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Joseph T. v. Commissioner of Social Security

No. 6:23-CV-6484-LJV (W.D.N.Y. Feb. 23, 2026) · No. 6:23-CV-6484-LJV · Decided February 23, 2026

SUMMARY

The United States District Court for the Western District of New York reviewed the Commissioner of Social Security’s denial of Joseph T.’s application for Supplemental Security Income. The court found that the ALJ failed to resolve an apparent conflict between the vocational expert’s testimony and the Dictionary of Occupational Titles regarding reaching requirements, vacated the Commissioner’s decision, and remanded for further administrative proceedings.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Lawrence J. Vilardo
JURISDICTION	United States District Court for the Western District of New York
DECIDED	February 23, 2026
DOCKET	6:23-CV-6484-LJV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Action under 42 U.S.C. § 405(g) seeking review of the Commissioner's denial of Supplemental Security Income benefits; plaintiff moved for judgment on the pleadings and the Commissioner cross-moved for judgment on the pleadings.
STANDARD OF REVIEW	The court first determines whether the Commissioner applied the correct legal principles and then whether the determination is supported by substantial evidence. Substantial evidence is more than a mere scintilla and is evidence that a reasonable mind might accept as adequate to support a conclusion. The court may reject factual findings only when a reasonable fact finder would have to conclude otherwise.
PRECEDENTIAL VALUE	unpublished district court decision
PARTIES	Joseph T. v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

agency adjudication

disability definition

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ failed to resolve an apparent conflict between the vocational expert's testimony that Joseph could perform identified jobs with only occasional overhead reaching and the Dictionary of Occupational Titles' description of those jobs as requiring frequent reaching.
2. Whether the unresolved conflict rendered the ALJ's step-five determination unsupported by substantial evidence and required remand.

HOLDINGS

1. The ALJ's finding that Joseph could perform work as a marker, collator operator, or router despite limiting him to occasional overhead reaching created an apparent conflict with the Dictionary of Occupational Titles, which describes those occupations as requiring frequent reaching.
2. The vocational expert's statement that her opinion was based on her knowledge, training, and experience did not provide the reasonable explanation required to reconcile the conflict between the DOT and her testimony.
3. The ALJ's step-five determination was not supported by substantial evidence because the ALJ failed to identify, explain, and resolve the apparent conflict between the vocational expert's testimony and the DOT.

KEY QUOTATIONS

“When there is an apparent unresolved conflict between VE . . . evidence and the DOT, the [ALJ] must elicit a reasonable explanation for the conflict before relying on the VE . . . evidence to support a determination or decision about whether the claimant is disabled.” (Discussion, Part III)

“The ALJ thus neglected to “identify, explain[,] and resolve” the apparent conflict, and that was error.” (Discussion, Part III)

FACTUAL BACKGROUND

Joseph T. applied for Supplemental Security Income, alleging disability based on numerous physical and mental impairments, including asthma, anxiety, obsessive-compulsive disorder, ADHD, spinal and knee conditions, autism spectrum disorder, and schizoaffective disorder. The ALJ found that Joseph had the residual functional capacity for light work with, among other restrictions, only occasional overhead reaching. At step five, the ALJ relied on vocational-expert testimony that Joseph could perform work as a marker, collator operator, or router, although the Dictionary of Occupational Titles describes those jobs as requiring frequent reaching.

PROCEDURAL HISTORY

The Commissioner denied Joseph T.'s application for Supplemental Security Income after an administrative law judge found that he was not disabled and could perform jobs existing in significant numbers in the national economy. Joseph sought judicial review and argued that the ALJ failed to account for irritable bowel syndrome, failed to resolve an apparent conflict between the vocational expert's testimony and the Dictionary of Occupational Titles, and failed to consider a closed period of benefits. The district court agreed that the ALJ failed to resolve the apparent reaching conflict, vacated the Commissioner's decision, and remanded for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner's decision is vacated and the matter is remanded for further administrative proceedings consistent with the decision, including identification, explanation, and resolution of the apparent conflict between the vocational expert's testimony and the Dictionary of Occupational Titles. The court did not reach the remaining issues because they may be affected by the ALJ's treatment of the case on remand.

CASES CITED

- Johnson v. Bowen, 817 F.2d 983, 985-86 (2d Cir. 1987)
- Moran v. Astrue, 569 F.3d 108, 112 (2d Cir. 2009)
- Cruz v. Sullivan, 912 F.2d 8, 11 (2d Cir. 1990)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Consolidated Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Brault v. Social Security Administration, Commissioner, 683 F.3d 443, 448 (2d Cir. 2012)
- McIntyre v. Colvin, 758 F.3d 146, 149, 151 (2d Cir. 2014)
- Lockwood v. Commissioner of Social Security Administration, 914 F.3d 87, 91-94 (2d Cir. 2019)
- Robert A. B. v. Commissioner of Social Security, 2024 WL 5054887, at *8 (W.D.N.Y. Dec. 10, 2024)
- Kristy H. v. Commissioner of Social Security, 2024 WL 3495807, at *5 (W.D.N.Y. July 22, 2024)
- Matthew M. v. Commissioner of Social Security, 2022 WL 3346949, at *4 (W.D.N.Y. Aug. 12, 2022)
- Reilly v. Commissioner of Social Security, 2022 WL 803316, at *2 (2d Cir. Mar. 17, 2022)
- Roderick R. v. Commissioner of Social Security, 2023 WL 3642035, at *7 (W.D.N.Y. May 25, 2023)
- Watkins v. Barnhart, 350 F.3d 1297, 1299 (10th Cir. 2003)
- Beers v. Commissioner of Social Security, 449 F. Supp. 3d 96, 103-04 (W.D.N.Y. 2020)