

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
IOWA, EASTERN DIVISION

Christopher G. v. Frank Bisignano, Commissioner of Social Security

Christopher G. · No. No. 25-CV-1001-CJW-KEM · Decided January 9, 2026

SUMMARY

This report and recommendation concerns judicial review of the denial of Christopher G.’s application for Social Security disability insurance benefits. The magistrate judge recommends reversal and remand because the ALJ found state-agency psychological opinions persuasive but did not adopt or explain the omission of their three- to four-step-task limitation; the recommendation rejects the separate argument that the vocational-expert testimony concerning the marker occupation was insufficient because that occupation is obsolete.

CASE DETAILS

COURT	United States District Court for the Northern District of Iowa, Eastern Division
WRITING FOR THE COURT	Kelly K. E. Mahoney, Chief Magistrate Judge
JURISDICTION	United States District Court for the Northern District of Iowa, Eastern Division
DECIDED	January 9, 2026
DOCKET	No. 25-CV-1001-CJW-KEM
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Report and recommendation on judicial review of the Commissioner's final decision denying Social Security disability insurance benefits.
STANDARD OF REVIEW	The court must affirm if substantial evidence in the record as a whole supports the ALJ's decision. Substantial evidence is less than a preponderance but enough that a reasonable mind might accept it as adequate. The court may not reweigh the evidence or review the factual record de novo.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Christopher G. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

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PRACTICE AREAS

Social Security disability

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vocational evidence

QUESTIONS PRESENTED

1. Whether the ALJ erred by finding the state-agency psychological consultants' opinions persuasive while failing to include, or explain the omission of, their limitation that Plaintiff could perform three- to four-step tasks.
2. Whether substantial evidence supported the ALJ's reliance on vocational-expert testimony concerning the number of marker jobs in the national economy despite Plaintiff's argument that the Dictionary of Occupational Titles description was obsolete.

HOLDINGS

1. The ALJ erred by finding the state-agency psychological consultants' opinions persuasive but failing to adopt, or explain the failure to adopt, their limitation that Plaintiff could perform three- to four-step tasks.
2. The ALJ did not err as a matter of law by relying on vocational-expert testimony that a significant number of marker positions existed in the national economy. The DOT description did not necessarily establish that the occupation was obsolete, and the unchallenged testimony of an experienced vocational expert constituted substantial evidence in this record.

KEY QUOTATIONS

“The purpose of this regulation would be undermined if the ALJ could state a medical opinion was persuasive, well-supported, and consistent with the record, without adopting the limitations contained in that opinion or otherwise addressing them.” (at 6)

“All apples are fruits; that does not mean all fruits are apples.” (at 8)

“The adjectives “simple, routine, and repetitive[.]” . . . concern the complexity of tasks that [c]laimant can perform. By contrast, a restriction to “one to three step work like activities,” relates to the number of steps.” (at 9)

“But if that is true, why should one additional fact—a refusal to a request for [underlying] data—make a vocational expert’s testimony categorically inadequate?” (at 12)

FACTUAL BACKGROUND

Plaintiff alleged disability from migraines, spinal surgeries, Reynaud's disease, cognitive problems, and anxiety, with an onset date of June 30, 2021. State-agency psychological consultants opined that he could sustain three- to four-step tasks, while also identifying moderate limitations involving detailed instructions, concentration, and

maintaining pace. The ALJ found severe migraines, major depressive disorder, and anxiety, but limited Plaintiff's residual functional capacity only to medium work with moderate noise and simple routine tasks. The ALJ relied on vocational-expert testimony that Plaintiff could perform marker, office-helper, and patient-transporter jobs existing in significant numbers nationally.

PROCEDURAL HISTORY

Christopher G. applied for disability insurance benefits in April 2022. The Social Security Administration denied the application initially and on reconsideration; following an October 2023 administrative hearing, the ALJ denied benefits on January 18, 2024. The Appeals Council denied review on November 14, 2024, making the ALJ's decision final. Plaintiff then filed a timely action in the Northern District of Iowa. The magistrate judge recommended reversal and remand for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the Commissioner's decision and remand for further proceedings, including reconsideration of the RFC and vocational evidence in light of the three- to four-step limitation identified by the persuasive state-agency psychological opinions.

CASES CITED

- Grindley v. Kijakazi, 9 F.4th 622, 627-28 (8th Cir. 2021)
- Goff v. Barnhart, 421 F.3d 785, 790 (8th Cir. 2005)
- Sloan v. Saul, 933 F.3d 946, 949 (8th Cir. 2019)
- Kirby v. Astrue, 500 F.3d 705, 707 (8th Cir. 2007)
- Naber v. Shalala, 22 F.3d 186, 188 (8th Cir. 1994)
- Robinson v. Sullivan, 956 F.2d 836, 838 (8th Cir. 1992)
- Dowden v. Saul, No. 19-CV-2054, 2020 WL 6470180, at *7 (N.D. Iowa Nov. 3, 2020)
- Gann v. Berryhill, 864 F.3d 947, 952-53 (8th Cir. 2017)
- Moore v. Astrue, 623 F.3d 599, 604 (8th Cir. 2010)
- Stanton v. Commissioner, Social Security Administration, 899 F.3d 555, 558-59 (8th Cir. 2018)
- Lawrence v. Saul, 941 F.3d 140, 143 (4th Cir. 2019)
- Loeckle v. Saul, No. 19-CV-3031, 2020 WL 6821077, at *9-10 (N.D. Iowa Aug. 11, 2020), report and recommendation adopted in relevant part, 2020 WL 5518620 (Sept. 14, 2020), vacated on other grounds, No. 20-3373, 2021 WL 5365233 (8th Cir. June 4, 2021)
- Amanda R. v. O'Malley, No. 23-cv-00781, 2024 WL 4761444, at *5, *7-8 (S.D.W. Va. Oct. 22, 2024)
- Biestek v. Berryhill, 587 U.S. 97, 102, 105, 108 (2019)
- Pearsall v. Massanari, 274 F.3d 1211, 1219 (8th Cir. 2001)

- *Guilliams v. Barnhart*, 393 F.3d 798, 804 (8th Cir. 2005)
- *Hillier v. Social Security Administration*, 486 F.3d 359, 366-67 (8th Cir. 2007)
- *O'Neal v. Commissioner of Social Security*, 799 F. App'x 313, 318 (6th Cir. 2020)
- *Gallo v. Commissioner of Social Security Administration*, 449 F. App'x 648, 650 (9th Cir. 2011)
- *Bavaro v. Astrue*, 413 F. App'x 382, 384 (2d Cir. 2011)

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