

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, CENTRAL DIVISION

E.W. v. Frank Bisignano, Commissioner of Social Security

E.W. v. Bisignano · No. 5:25-cv-00017-GFVT · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky reviewed the denial of E.W.’s claim for Disability Insurance Benefits under 42 U.S.C. § 405(g). The court held that the administrative law judge’s evaluation of E.W.’s residual functional capacity and subjective symptom statements was supported by substantial evidence. The court denied E.W.’s motion for summary judgment, granted the Commissioner’s motion, and directed entry of judgment for the Commissioner.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Central Division
WRITING FOR THE COURT	Gregory F. Van Tatenhove
JURISDICTION	United States District Court for the Eastern District of Kentucky, Central Division
DECIDED	February 24, 2026
DOCKET	5:25-cv-00017-GFVT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying Disability Insurance Benefits. The parties filed cross-motions for summary judgment.
STANDARD OF REVIEW	The court reviews the Commissioner's decision to determine whether it is supported by substantial evidence and whether the correct legal standards were applied. The court may not conduct de novo review, resolve evidentiary conflicts, or make credibility determinations, and must affirm when substantial evidence supports the decision even if the evidence could support a contrary conclusion.
PRECEDENTIAL VALUE	Unknown; memorandum opinion with no reported citation in the source.
PARTIES	E.W. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

summary judgment

administrative law

disability definition

civil procedure

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ adequately evaluated E.W.'s statements concerning the intensity, persistence, and limiting effects of his symptoms under 20 C.F.R. § 404.1529.
2. Whether substantial evidence supported the ALJ's residual functional capacity assessment and conclusion that E.W. was not disabled.

HOLDINGS

1. The ALJ adequately explained why E.W.'s statements concerning the intensity, persistence, and limiting effects of his symptoms were not entirely consistent with the medical and other evidence.
2. Substantial evidence supported the ALJ's finding that E.W.'s subjective statements were not entirely consistent with the record and supported the determination that E.W. was not disabled.

KEY QUOTATIONS

“Substantial evidence” is “more than a scintilla of evidence but less than a preponderance; it is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”” (at 286)

“The substantial evidence standard “presupposes that there is a zone of choice within which [administrative] decisionmakers can go either way, without interference by the courts.”” (at 545)

“sufficient to enable a reviewing court to create a logical bridge between the evidence and the result.” (at 21)

FACTUAL BACKGROUND

E.W. alleged disability based principally on physical impairments including gout, Morton's neuroma, a pituitary-gland neoplasm, hypothyroidism, and obesity. The ALJ found that these impairments were severe but did not meet or equal a listed impairment, and assessed a residual functional capacity for medium work with additional postural, manipulative, environmental, and safety restrictions. Although E.W. could not perform his past relevant work, the ALJ found that he could perform several jobs existing in significant numbers in the national economy. In reviewing E.W.'s subjective symptom allegations, the court relied on evidence that foot pain improved by ninety percent after a steroid injection, that E.W. performed household chores, drove, and grocery-shopped, and that he had not been prescribed pain medication.

PROCEDURAL HISTORY

E.W. applied for Disability Insurance Benefits, alleging disability beginning June 27, 2022. The claim was denied initially and on reconsideration; an administrative law judge denied benefits after a September 18, 2023

hearing, and the Appeals Council denied review. E.W. then filed this action, and the district court denied his motion for summary judgment, granted the Commissioner's motion, and entered judgment for the Commissioner.

DISPOSITION

affirmed

CASES CITED

- Jones v. Commissioner of Social Security, 336 F.3d 469, 474 (6th Cir. 2003)
- Wright v. Massanari, 321 F.3d 611, 614 (6th Cir. 2003)
- Shelman v. Heckler, 821 F.2d 316, 319-20 (6th Cir. 1987)
- Cutlip v. Secretary of Health & Human Services, 25 F.3d 284, 286 (6th Cir. 1994)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Mullen v. Bowen, 800 F.2d 535, 545 (6th Cir. 1986) (en banc)
- Baker v. Heckler, 730 F.2d 1147, 1150 (8th Cir. 1984)
- Kirk v. Secretary of Health & Human Services, 667 F.2d 524, 535 (6th Cir. 1981), cert. denied, 461 U.S. 957 (1983)
- Ulman v. Commissioner of Social Security, 693 F.3d 709, 713-14 (6th Cir. 2012)
- Bradley v. Secretary of Health & Human Services, 862 F.2d 1224, 1228 (6th Cir. 1988)
- Bass v. McMahon, 499 F.3d 506, 509 (6th Cir. 2007)
- LaFollette v. Kijakazi, No. 3:22-cv-32-REW, 2023 WL 7167177, at *10 (E.D. Ky. Sept. 18, 2023)
- Hollon ex rel. Hollon v. Commissioner of Social Security, 447 F.3d 477, 491 (6th Cir. 2006)
- Kornecky v. Commissioner of Social Security, 167 F. App'x 496, 508 (6th Cir. 2006)
- Loral Defense Systems-Akron v. N.L.R.B., 200 F.3d 436, 453 (6th Cir. 1999)
- Green v. Commissioner of Social Security, No. 3:20-cv-1623-JCG, 2022 WL 610643, at *3 (N.D. Ohio Mar. 2, 2022)
- Childers v. Kijakazi, No. 5:31-cv-285-JMH, 2022 WL 2706150, at *3 (E.D. Ky. July 12, 2022)
- Thacker v. Commissioner of Social Security, 99 F. App'x 661, 664 (6th Cir. 2004)
- Rogers v. Commissioner of Social Security, 486 F.3d 234, 247-49 (6th Cir. 2007)
- Walters v. Commissioner of Social Security, 127 F.3d 525, 531 (6th Cir. 1997)
- O'Brien v. Commissioner of Social Security, 819 F. App'x 409, 417 (6th Cir. 2020)
- Blacha v. Secretary of Health & Human Services, 927 F.2d 228, 231 (6th Cir. 1990)
- Buxton v. Halter, 246 F.3d 762, 775 (6th Cir. 2001)
- Masters v. Commissioner of Social Security, 707 F. App'x 374, 379 (6th Cir. 2017)
- Turk v. Commissioner of Social Security, 647 F. App'x 638, 641 (6th Cir. 2016)
- Casey v. Secretary of Health & Human Services, 987 F.2d 1230, 1233 (6th Cir. 1993)

