

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

Dawn M. K. v. Commissioner of Social Security

Dawn M. K. · No. 7:25-CV-00463 · Decided March 30, 2026

SUMMARY

The document is a report and recommendation in a Social Security disability appeal in the U.S. District Court for the Western District of Virginia. The magistrate judge concludes that the ALJ improperly evaluated the claimant’s fibromyalgia symptoms under SSR 16-3p and *Arakas v. Commissioner*, including by relying on objective medical evidence and failing to distinguish fibromyalgia-related analysis from other impairments. The report recommends reversing the Commissioner’s decision and remanding the case under the fourth sentence of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	C. Kailani Memmer
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	March 30, 2026
DOCKET	7:25-CV-00463
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Report and recommendation on a claimant's appeal from the Commissioner's final decision denying supplemental security income benefits.
STANDARD OF REVIEW	The court reviews whether the ALJ applied the correct legal standards and whether substantial evidence supports the ALJ's factual findings. The court may not reweigh conflicting evidence, make credibility determinations, or substitute its judgment for the Commissioner's. Remand is appropriate when the ALJ's analysis frustrates meaningful review or fails to build an accurate and logical bridge from the evidence to the conclusions.
PRECEDENTIAL VALUE	Nonprecedential report and recommendation; persuasive only unless adopted or otherwise given effect by the district court.

PARTIES

Dawn M. K. v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

remedies

civil procedure

PRACTICE AREAS

social security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated Dawn's fibromyalgia-related symptoms under SSR 16-3p and *Arakas v. Commissioner of Social Security*.
2. Whether the ALJ improperly relied on objective medical evidence to discount subjective complaints concerning fibromyalgia.
3. Whether the ALJ adequately separated the analysis of fibromyalgia from the analysis of the claimant's other impairments so that meaningful judicial review was possible.

HOLDINGS

1. An ALJ may not rely on objective medical evidence, even as one of multiple factors, to discount a claimant's subjective statements concerning the intensity, persistence, or limiting effects of fibromyalgia symptoms.
2. An ALJ must sufficiently separate the analysis of fibromyalgia from the analysis of other impairments when discussing objective medical evidence, so that the court can determine whether impermissible objective-evidence reasoning affected the fibromyalgia evaluation.

KEY QUOTATIONS

“ALJs may not rely on objective medical evidence even as just one of multiple factors to discount a claimant's subjective complaints regarding symptoms of fibromyalgia.” (R. 29)

“Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion; it consists of more than a mere scintilla of evidence but may be somewhat less than a preponderance.” (Standard of Review)

“ALJs must not only reach a conclusion supported by substantial evidence but must also “build an accurate and logical bridge from the evidence to their conclusions.”” (Standard of Review)

FACTUAL BACKGROUND

Dawn M. K., born in 1973, applied for SSI alleging disability based on multiple physical and mental impairments, including fibromyalgia, degenerative disc disease, osteoarthritis, carpal tunnel syndrome, PTSD, social anxiety, and bipolar disorder. The ALJ found that she had severe impairments but retained the residual functional capacity for restricted light work and could perform several jobs existing in significant numbers in the

national economy. In reviewing the decision, the magistrate judge focused on the ALJ's treatment of Dawn's fibromyalgia symptoms and concluded that the ALJ relied on objective medical evidence and failed to distinguish the fibromyalgia analysis from the analysis of her other impairments.

PROCEDURAL HISTORY

Dawn M. K. applied for SSI, was denied initially and on reconsideration, and received an unfavorable ALJ decision after a hearing. The Appeals Council denied review on May 15, 2025. The claimant then sought judicial review, and the magistrate judge recommended that the Commissioner's decision be reversed and remanded under sentence four of 42 U.S.C. § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The report recommends remand under sentence four of 42 U.S.C. § 405(g). On remand, the ALJ should reevaluate the evidence and address the claimant's arguments, including the fibromyalgia analysis, without relying on objective medical evidence to discount fibromyalgia symptoms and while clearly separating fibromyalgia from other impairments.

CASES CITED

- Arakas v. Commissioner, Social Security Administration, 983 F.3d 83 (4th Cir. 2020)
- Craig v. Chater, 76 F.3d 585 (4th Cir. 1996)
- Biestek v. Berryhill, 587 U.S. 97 (2019)
- Mastro v. Apfel, 270 F.3d 171 (4th Cir. 2001)
- Mascio v. Colvin, 780 F.3d 632 (4th Cir. 2015)
- Johnson v. Barnhart, 434 F.3d 650 (4th Cir. 2005)
- Heckler v. Campbell, 461 U.S. 458 (1983)
- Oakes v. Kijakazi, 70 F.4th 207 (4th Cir. 2023)
- Lewis v. Berryhill, 858 F.3d 858 (4th Cir. 2017)
- Taylor v. Weinberger, 512 F.2d 664 (4th Cir. 1975)
- Donald O. v. Bisignano, No. 4:24-CV-00015, 2025 WL 2181411, at *4 (W.D. Va. Aug. 1, 2025)
- Paul B. v. Kijakazi, No. 6:20-CV-00078, 2022 WL 989242, at *7 (W.D. Va. Mar. 31, 2022)
- Janel G. v. Kijakazi, No. 5:20-CV-00018, 2021 WL 3076407, at *9 (W.D. Va. July 21, 2021)
- Jennifer L. v. Kijakazi, No. 7:20-CV-442, 2022 WL 1126424, at *9 (W.D. Va. Feb. 7, 2022)
- Lisa T. v. Commissioner of Social Security Administration, No. 5:21-CV-00068, 2023 WL 2423591, at *6 (W.D. Va. Mar. 9, 2023)
- Rice v. Kijakazi, No. 1:23-CV-376, 2024 WL 4368974, at *5 (E.D. Va. Oct. 1, 2024)
- Zafar A. v. Kijakazi, No. 4:22-CV-00017, 2023 WL 5994137, at *10 (W.D. Va. Sept. 15, 2023)

- Lauren S. v. O'Malley, No. 2:23CV60, 2024 WL 3639380, at *11 (E.D. Va. Mar. 29, 2024)
- Treadway v. Commissioner of Social Security, No. 1:23-CV-00250, 2024 WL 4341325, at *4 (W.D.N.C. Sept. 27, 2024)
- Crystal S. v. Bisignano, No. CV 24-1223, 2025 WL 2021742, at *4 (D. Md. July 18, 2025)
- Sandra P. v. Commissioner, No. 2:21-CV-127, 2022 WL 815463, at *7-8 (E.D. Va. Mar. 1, 2022)
- India G. v. Kijakazi, No. CV DLB-20-1704, 2021 WL 3930430, at *2 (D. Md. Sept. 1, 2021)
- Deonn T. v. O'Malley, No. 2:23-CV-03259, 2024 WL 2749369, at *9 (D.S.C. Apr. 30, 2024)
- Bryson v. Berryhill, No. 1:20-CV-00169, 2021 WL 2517682, at *6 (W.D.N.C. June 18, 2021)
- Keene v. Berryhill, 732 F. App'x 174, 177 (4th Cir. 2018)
- Fischer-Ross v. Barnhart, 431 F.3d 729, 734 (10th Cir. 2005)
- Jamoya A. v. O'Malley, No. 3:22-CV-804, 2024 WL 899419, at *10 (E.D. Va. Feb. 12, 2024)
- Hancock v. Barnhart, 206 F. Supp. 2d 757, 763 n.3 (W.D. Va. 2002)
- Hultz v. Bisignano, No. 23-2259, 2025 WL 3623144, at *1 (4th Cir. Dec. 15, 2025)

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