

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA, CHARLESTON DIVISION

Jennifer S. v. Frank Bisignano, Commissioner of the Social Security
Administration

Jennifer S. v. Bisignano, No. 2:25-cv-00551 (S.D.W. Va. May 28, 2026) · No. 2:25-cv-00551 · Decided May 28,
2026

SUMMARY

The document contains proposed findings and recommendations in a Social Security disability action challenging the Commissioner’s denial of Disability Insurance Benefits. The magistrate judge recommends affirming the Commissioner’s decision and dismissing the action, concluding that the ALJ adequately considered the claimant’s mild mental impairments and sufficiently explained the absence of mental limitations in the residual functional capacity assessment.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia, Charleston Division
WRITING FOR THE COURT	Josey K. Reeder, United States Magistrate Judge
JURISDICTION	United States District Court for the Southern District of West Virginia, Charleston Division
DECIDED	May 28, 2026
DOCKET	2:25-cv-00551
DISPOSITION	dismissed
PROCEDURAL POSTURE	Social Security claimant sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of Disability Insurance Benefits. The parties filed briefs seeking judgment on the pleadings. The magistrate judge issued proposed findings and recommendations recommending denial of the claimant's motion, granting the Commissioner's motion, affirming the administrative decision, and dismissing the action.
STANDARD OF REVIEW	Whether the Commissioner's decision was based on an appropriate application of law and supported by substantial evidence; the court does not conduct de novo review and must affirm if substantial evidence supports the decision.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Jennifer S. v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

judicial review of agency action administrative law agency adjudication disability definition
ada / disability

PRACTICE AREAS

Social Security disability benefits administrative law judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ adequately considered the claimant's non-severe depression and anxiety and explained why no mental limitations were included in the residual functional capacity.
2. Whether substantial evidence supported the Commissioner's denial of Disability Insurance Benefits.
3. Whether the absence of a separate mental RFC discussion required remand where the ALJ's reasoning could be discerned from the decision as a whole.

HOLDINGS

1. A finding of mild paragraph B limitations does not automatically require corresponding mental restrictions in the RFC, but the ALJ must consider the non-severe mental impairment and explain the RFC determination sufficiently to permit meaningful judicial review.
2. The ALJ adequately explained the omission of mental RFC restrictions because the decision discussed the claimant's mental-health evidence and expressly found that depression and anxiety caused no more than minimal limitation in basic mental work activities.
3. Substantial evidence supported the ALJ's conclusion that the claimant's non-severe mental impairments did not require additional mental restrictions in the RFC, and the Commissioner's decision should be affirmed.

KEY QUOTATIONS

“Although the RFC section itself would have been clearer had the ALJ repeated that reasoning there, remand is not required where the path of the ALJ’s reasoning can nevertheless be reasonably discerned from the decision as a whole.” (Tr. at 356-57)

“The ALJ’s paragraph B discussion was not merely a severity finding divorced from the RFC determination.” (Tr. at 354-56)

FACTUAL BACKGROUND

Jennifer S. alleged disability based on diabetes, neuropathy, hypertension, asthma, anxiety, restless leg syndrome, back pain, leg weakness, bladder-control issues, and gastritis. The ALJ found several severe physical impairments, including obesity, type I diabetes, peripheral neuropathy, hypertension, asthma, restless leg syndrome, lumbar disc disease, irritable bowel syndrome, and carpal tunnel syndrome, but found depression and anxiety non-severe with only mild paragraph B limitations. The ALJ assessed a sedentary residual functional capacity without mental restrictions, found that Jennifer could not perform her past work, but could perform other skilled occupations with transferable skills. The magistrate judge concluded that the ALJ's decision, read as a whole, adequately explained why the mild mental limitations did not require additional RFC restrictions.

PROCEDURAL HISTORY

Jennifer S. protectively filed for Disability Insurance Benefits alleging disability beginning March 2, 2022. Her claim was denied initially and on reconsideration; following a July 2024 hearing, the ALJ found her not disabled on September 11, 2024, and the Appeals Council denied review. She then filed this action, and the matter was referred to the magistrate judge for proposed findings and recommendations under 28 U.S.C. § 636(b)(1)(B).

DISPOSITION

dismissed

CASES CITED

- Blalock v. Richardson, 483 F.2d 773, 774-76 (4th Cir. 1973)
- 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)
- Britt v. Saul, 860 F. App'x 256, 262-63 (4th Cir. 2021)
- Shinaberry v. Saul, 952 F.3d 113, 121-22 (4th Cir. 2020)
- Perry v. Colvin, No. 2:15-cv-01145, 2016 WL 1183155, at *5 (S.D.W. Va. Mar. 28, 2016)
- Mosley v. Berryhill, No. 2:17-cv-04197, 2018 WL 4781297, at *9 (S.D.W. Va. Sept. 5, 2018)
- Shank v. Saul, No. 3:20-cv-00444, 2021 WL 2767063, at *8-9 (S.D.W. Va. June 11, 2021)
- Jones v. Kijakazi, No. 5:21-cv-00634, ECF No. 18 at 18-23 (S.D.W. Va. Sept. 22, 2022)
- Karen W. v. Kijakazi, No. 2:23-cv-00044, 2023 WL 6289991, at *8 (S.D.W. Va. July 31, 2023)
- Mary S. v. Kijakazi, No. 2:23-cv-00302, 2023 WL 9007315, at *7 (S.D.W. Va. Aug. 24, 2023)
- Brenda H. v. O'Malley, No. 2:23-cv-00631, 2024 WL 561185, at *8-9 (S.D.W. Va. Jan. 26, 2024)
- Harold S. v. O'Malley, No. 5:24-cv-00004, 2024 WL 2837611, at *7 (S.D.W. Va. May 7, 2024)
- Carr-Cooper v. Kijakazi, No. 1:22-cv-00009, 2023 WL 3999224, at *5-6 (N.D.W. Va. June 14, 2023)
- 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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