

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mora v. Commissioner of Social Security

Mora · No. 1:22-cv-00074-TLN-CDB (SS) · Decided June 12, 2025

SUMMARY

The document is findings and recommendations by a magistrate judge of the U.S. District Court for the Eastern District of California in Araceli Mora’s challenge to the denial of her Social Security disability insurance benefits. It recommends denying Plaintiff’s motion for summary judgment and affirming the Commissioner’s decision, concluding that the ALJ adequately evaluated Plaintiff’s symptom testimony and identified work available in the national economy.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 12, 2025
DOCKET	1:22-cv-00074-TLN-CDB (SS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying her application for disability insurance benefits. The magistrate judge issued findings and recommendations, without oral argument, recommending denial of Plaintiff's motion for summary judgment and affirmance of the Commissioner's decision.
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court may disturb the Commissioner's decision only if it is unsupported by substantial evidence or based on legal error. The court must uphold the ALJ's conclusion when the evidence is susceptible to more than one rational interpretation, may not substitute its judgment for the Commissioner's, and may not affirm on a ground not relied on by the ALJ. An error is harmless when inconsequential to the ultimate nondisability determination.
PRECEDENTIAL VALUE	Unreported findings and recommendations; nonprecedential
PARTIES	Araceli Mora v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

agency adjudication

exhaustion of remedies

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient clear and convincing reasons, supported by substantial evidence, for discounting Mora's subjective testimony about her mental symptoms.
2. Whether the ALJ failed to identify and resolve an apparent conflict between the vocational expert's testimony and the Dictionary of Occupational Titles concerning the RFC limitation that work involve tasks dealing mainly with things rather than people.
3. Whether the ALJ was required to account for Mora's inability to speak, read, or write English in the step-five vocational analysis under the regulations applicable to her claim.

HOLDINGS

1. The ALJ provided clear and convincing reasons for discounting Mora's testimony concerning the intensity, persistence, and limiting effects of her mental symptoms, and those reasons were supported by substantial evidence.
2. There was no apparent or obvious conflict between the identified occupations and the RFC limitation requiring work dealing mainly with things rather than people; therefore, the ALJ had no duty to inquire further under SSR 00-4p.
3. Under the regulations applicable to Mora's claim, the ALJ was not required to consider her inability to communicate in English as an educational limitation or include English-language limitations in the vocational hypothetical.

KEY QUOTATIONS

“Overall, the ALJ provided clear and convincing reasons for discounting Plaintiff’s testimony and those reasons are supported by substantial evidence.” (18)

“Overall, the ALJ did not err in considering the VE’s testimony at step five and the ALJ’s step five determination is supported by substantial evidence.” (18)

FACTUAL BACKGROUND

Mora alleged disability based principally on panic attacks, vertigo, depression, anxiety, amnesia, and related physical impairments. The ALJ found that her impairments could reasonably produce some alleged symptoms but determined that the claimed intensity and limiting effects were inconsistent with medical records, improvement with medication, generally unremarkable mental-status examinations, and activities including yoga, exercise, travel, cleaning, cooking, driving, and helping her children with homework. Based on an RFC for

a restricted range of light, simple, unskilled work with limited social interaction, the ALJ found at step five that Mora could perform work as a garment sorter, housekeeping cleaner, or collator operator.

PROCEDURAL HISTORY

Mora filed Title II and Title XVI applications in September 2019. Her SSI application was denied based on excess resources, and she did not appeal that determination. Her DIB application was denied initially and on reconsideration; after a May 25, 2021 hearing, the ALJ found her not disabled on June 21, 2021, and the Appeals Council denied review on November 29, 2021. Mora then sought district-court review, challenging the ALJ's evaluation of her symptom testimony and the step-five vocational-expert determination.

DISPOSITION

other

CASES CITED

- *Sims v. Apfel*, 530 U.S. 103, 107 (2000)
- *Hill v. Astrue*, 698 F.3d 1153, 1158-59 (9th Cir. 2012)
- *Tommasetti v. Astrue*, 533 F.3d 1035, 1038-39 (9th Cir. 2008)
- *Shinseki v. Sanders*, 556 U.S. 396, 409-10 (2009)
- *Tackett v. Apfel*, 180 F.3d 1094, 1098 (9th Cir. 1999)
- *Beltran v. Astrue*, 700 F.3d 386, 389 (9th Cir. 2012)
- *Andrews v. Shalala*, 53 F.3d 1035, 1039 (9th Cir. 1995)
- *Orn v. Astrue*, 495 F.3d 625, 635 (9th Cir. 2007)
- *Molina v. Astrue*, 674 F.3d 1104, 1112 (9th Cir. 2012)
- *Lingenfelter v. Astrue*, 504 F.3d 1028, 1036 (9th Cir. 2007)
- *Smolen v. Chater*, 80 F.3d 1273, 1281-84 (9th Cir. 1996)
- *Carmickle v. Commissioner of Social Security*, 533 F.3d 1155, 1160-61 (9th Cir. 2008)
- *Moisa v. Barnhart*, 367 F.3d 882, 885 (9th Cir. 2004)
- *Stewart v. Kijakazi*, 2023 WL 4162767, at *5 (E.D. Cal. June 22, 2023)
- *Record v. Kijakazi*, 2023 WL 2752097, at *4 (E.D. Cal. Mar. 31, 2023)
- *Wilson v. Berryhill*, 757 F. App'x 595, 597 (9th Cir. 2019)
- *Smartt v. Kijakazi*, 53 F.4th 489, 494 (9th Cir. 2022)
- *Bunnell v. Sullivan*, 947 F.2d 341, 346 (9th Cir. 1991)
- *Bray v. Commissioner of Social Security Administration*, 554 F.3d 1219, 1226 (9th Cir. 2009)
- *Vertigan v. Halter*, 260 F.3d 1044, 1049 (9th Cir. 2001)
- *Burch v. Barnhart*, 400 F.3d 676, 680 (9th Cir. 2005)
- *Reddick v. Chater*, 157 F.3d 715, 722 (9th Cir. 1998)
- *Rollins v. Massanari*, 261 F.3d 853, 857 (9th Cir. 2001)

- Garrison v. Colvin, 759 F.3d 995, 1015 (9th Cir. 2014)
- Moore v. Commissioner of Social Security Administration, 278 F.3d 920, 924 (9th Cir. 2002)
- Brown-Hunter v. Colvin, 806 F.3d 487, 493 (9th Cir. 2015)
- Ahearn v. Saul, 988 F.3d 1111, 1115-16 (9th Cir. 2021)
- Rounds v. Commissioner of Social Security Administration, 807 F.3d 996, 1002-03 (9th Cir. 2015)
- Zavalin v. Colvin, 778 F.3d 842, 846 (9th Cir. 2015)
- Leach v. Kijakazi, 70 F.4th 1251, 1255 (9th Cir. 2023)
- Gutierrez v. Colvin, 844 F.3d 804, 807-09 & n.2 (9th Cir. 2016)
- Lamear v. Berryhill, 865 F.3d 1201, 1205 (9th Cir. 2017)
- Vang v. Commissioner of Social Security, 2022 WL 17812859, at *6 (E.D. Cal. Dec. 19, 2022)
- Rubio v. O'Malley, 2024 WL 2518810, at *7 (D. Nev. May 23, 2024)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

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