

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

David M. v. Frank Bisignano, Commissioner of Social Security

David M. · No. 2:25-cv-159-EFS · Decided December 17, 2025

SUMMARY

The U.S. District Court for the Eastern District of Washington reversed the Administrative Law Judge’s denial of Title II Social Security disability benefits and remanded for further proceedings. The court held that the ALJ consequentially erred in evaluating the plaintiff’s symptom reports and medical opinions, including by misreading records concerning a spinal cord stimulator, pulmonary symptoms, fluctuating mental-health symptoms, and medication side effects. The court directed further development of the record, including obtaining medical records after November 2022 and ordering a consultative physical examination.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	Edward F. Shea
JURISDICTION	U.S. District Court for the Eastern District of Washington
DECIDED	December 17, 2025
DOCKET	2:25-cv-159-EFS
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) of an administrative denial of Title II Social Security disability benefits.
STANDARD OF REVIEW	The court reviews the ALJ's decision to determine whether it is supported by substantial evidence and free of legal error that affected the nondisability determination. Substantial evidence is more than a mere scintilla but less than a preponderance and is evidence a reasonable mind might accept as adequate to support a conclusion. The court reviews the entire record and is constrained to the reasons and explanations offered by the ALJ.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive but not precedential outside the case.
PARTIES	David M. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

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civil procedure

PRACTICE AREAS

Social Security disability benefits

administrative law

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QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient, substantial-evidence-based reasons for discounting Plaintiff's symptom testimony.
2. Whether the ALJ properly evaluated the supportability and consistency of Dr. Shirley Deem's medical opinion and the administrative medical findings.
3. Whether the errors in evaluating symptoms and medical opinions affected the RFC and nondisability determination.
4. Whether remand for further administrative proceedings, including development of the record and a consultative physical examination, was warranted.

HOLDINGS

1. The ALJ consequentially erred by discounting Plaintiff's reported symptoms without a clear and convincing rationale supported by substantial evidence.
2. The ALJ's finding that Dr. Shirley Deem's opinion was unpersuasive, and the related consistency evaluations of the administrative medical findings, were not supported by substantial evidence.
3. Because the errors were consequential and affected the RFC and nondisability determination, remand for further proceedings rather than affirmance was required.

KEY QUOTATIONS

"If the ALJ finds inconsistency between the claimant's reported symptoms and the evidence, the ALJ must identify what symptom claims are being discounted and clearly and convincingly explain the rationale for discounting the symptoms with supporting citation to evidence." (AR 29)

"This requires the ALJ to "show his work" and provide a "rationale . . . clear enough that it has the power to convince" the reviewing court." (AR 29)

"The ALJ did not provide a clear rationale that convinced the Court that Plaintiff's reported symptoms are not entirely consistent with the record." (Conclusion)

"The ALJ's nondisability decision is REVERSED, and this matter is REMANDED to the Commissioner of Social Security for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g)." (Disposition)

FACTUAL BACKGROUND

David M. alleged disability based on physical and mental conditions including lumbar spine disease, obesity, asthma, irritable bowel syndrome, depression, anxiety, and ADHD. He testified that he experienced back pain,

shortness of breath, difficulty standing and walking, falls or loss of balance without a cane, gastrointestinal symptoms, medication-related drowsiness, and fluctuating mental-health symptoms. A spinal cord stimulator implanted in 2022 initially relieved pain, but the leads later descended or migrated, and the record did not establish sustained improvement. Medical and consultative opinions differed regarding his exertional abilities, cane use, and environmental limitations.

PROCEDURAL HISTORY

Plaintiff applied for Title II benefits in June 2021, alleging disability beginning April 1, 2020. The agency denied the application, and ALJ Allen Erickson denied benefits after a February 2023 telephonic hearing. The Appeals Council did not grant relief, and Plaintiff sought review in the district court. The district court reversed the ALJ's nondisability decision and remanded for further proceedings under sentence four of 42 U.S.C. § 405(g).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must develop the record by obtaining medical records since November 2022, order a consultative physical examination to reassess Plaintiff's exertional abilities, reevaluate all medical opinions and administrative findings with meaningful articulation and evidentiary support, reassess Plaintiff's symptoms and RFC through the sequential process, consider medication side effects, and determine whether any sustained improvement warrants a separate RFC for that period. The clerk was directed to enter judgment for Plaintiff, terminate the parties' briefs, and close the case.

CASES CITED

- Smartt v. Kijakazi, 53 F.4th 489, 499 (9th Cir. 2022)
- Hill v. Astrue, 698 F.3d 1153, 1158-59 (9th Cir. 2012)
- Molina v. Astrue, 674 F.3d 1104, 1115 (9th Cir. 2012)
- Kaufmann v. Kijakazi, 32 F.4th 843, 851 (9th Cir. 2022)
- Lingenfelter v. Astrue, 504 F.3d 1028, 1035 (9th Cir. 2007)
- Sandgathe v. Chater, 108 F.3d 978, 980 (9th Cir. 1997)
- Ghanim v. Colvin, 763 F.3d 1154, 1163 (9th Cir. 2014)
- Smith v. Kijakazi, 14 F.4th 1108, 1113-16 (9th Cir. 2021)
- Garrison v. Colvin, 759 F.3d 995, 1017 (9th Cir. 2014)
- Woods v. Kijakazi, 32 F.4th 785, 792 (9th Cir. 2022)
- Burrell v. Colvin, 775 F.3d 1133, 1138 (9th Cir. 2014)
- Rounds v. Commissioner Social Security Administration, 807 F.3d 996, 1006 (9th Cir. 2015)