

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Ronette L. v. Frank Bisignano

Ronette L. · No. 3:21-cv-00124 · Decided March 25, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia reviews a Social Security disability benefits denial after de novo consideration of the plaintiff’s objections to a magistrate judge’s report and recommendation. The court rejects objections concerning the fairness of the administrative hearing, the residual functional capacity assessment, and alleged administrative law judge bias. It adopts the report and recommendation, denies the plaintiff’s motion for summary judgment, grants the Commissioner’s motion, and affirms the Commissioner’s decision.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	M. Hannah Lauck
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	March 25, 2026
DOCKET	3:21-cv-00124
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Commissioner's denial of Social Security benefits. After the magistrate judge recommended denying Plaintiff's motion for summary judgment and affirming the Commissioner's decision, Plaintiff filed objections. The district court conducted de novo review, overruled the objections, denied Plaintiff's motion for summary judgment, granted the Commissioner's motion for summary judgment, adopted the report and recommendation, and affirmed the Commissioner's decision.
STANDARD OF REVIEW	The district court reviews properly objected-to portions of a magistrate judge's report and recommendation de novo under Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b)(1). The Commissioner's final decision is reviewed to determine whether it is supported by substantial evidence and whether the correct legal

	standards were applied. The court may not reweigh conflicting evidence, make credibility determinations, or substitute its judgment for the ALJ's.
PRECEDENTIAL VALUE	Unpublished district court memorandum order; persuasive but not generally precedential.
PARTIES	Ronette L. v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

judicial review of agency action

administrative law

summary judgment

civil procedure

PRACTICE AREAS

Social Security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ provided Plaintiff with a full and fair hearing, including a sufficient opportunity to cross-examine the vocational expert.
2. Whether Plaintiff demonstrated prejudice from the ALJ's interruption of counsel's questioning of the vocational expert.
3. Whether substantial evidence supported the ALJ's residual functional capacity determination despite omitting a cane-use limitation.
4. Whether the ALJ properly considered Plaintiff's medication side effects, pain, and daily activities when evaluating her subjective complaints and residual functional capacity.
5. Whether the ALJ erred by finding mild social-interaction limitations without including a corresponding limitation in the residual functional capacity.
6. Whether Plaintiff established ALJ bias warranting remand to a different ALJ.

HOLDINGS

1. The ALJ provided Plaintiff with a full and fair hearing and did not violate Plaintiff's right to question the vocational expert fully on pertinent matters. The ALJ permissibly interrupted counsel only after counsel had questioned the vocational expert on the relevant exertional subjects and indicated that he had no further questions.
2. Plaintiff failed to establish prejudice because she identified no specific evidence or clarification that counsel could and would have elicited through additional questioning that might have altered the result.
3. The ALJ did not err by omitting a cane-use limitation from Plaintiff's residual functional capacity because the record lacked medical documentation establishing the need for a handheld assistive device and substantial evidence supported the RFC determination.

4. The ALJ properly considered Plaintiff's medication side effects, pain, subjective complaints, and the extent of her daily activities, and substantial evidence supported the resulting RFC determination.
5. The ALJ did not err by omitting a social-interaction limitation from the RFC after finding Plaintiff only mildly limited in interacting with others, because substantial evidence supported the finding and the limitation had no more than a minimal effect on work ability.
6. Plaintiff did not establish ALJ bias or a due process violation, and remand to a different ALJ was unwarranted.

KEY QUOTATIONS

"The reviewing court must determine whether the factual findings are supported by substantial evidence and whether the proper legal standard was applied in evaluating the evidence." (at 3)

"Substantial evidence requires "more than a mere scintilla of evidence but may be somewhat less than a preponderance"" (at 3)

"To establish prejudice, a claimant must demonstrate that he or she could and would have adduced evidence that might have altered the result." (at 8)

"the Commissioner's final decision was supported by substantial evidence and that the Commissioner employed the correct legal standards in reaching that decision." (at 15)

FACTUAL BACKGROUND

Plaintiff applied for Social Security benefits, alleging limitations involving physical impairments, pain, cane or walking-boot use, medication side effects, and mental impairments. At the remanded administrative hearing, a vocational expert testified that Plaintiff could perform jobs existing in significant numbers in the national economy, and Plaintiff's counsel cross-examined the expert for approximately twenty minutes. The ALJ denied benefits, finding that Plaintiff's alleged restrictions were not fully supported by the treatment history, examination findings, medical documentation, and reported daily activities.

PROCEDURAL HISTORY

Plaintiff filed the action on March 4, 2021. The parties jointly moved to remand because the ALJ failed to maintain a proper audio recording of the original proceedings, and the court granted that motion on July 12, 2021. Following a remanded hearing on April 24, 2023, the ALJ again denied benefits on May 26, 2023. Plaintiff moved for summary judgment, the Commissioner cross-moved for summary judgment, and the magistrate judge recommended denying Plaintiff's motion and affirming the ALJ. The district court overruled Plaintiff's objections and adopted the report and recommendation.

DISPOSITION

affirmed

CASES CITED

- Wimmer v. Cook, 774 F.2d 68, 73 (4th Cir. 1985)
- Elijah v. Dunbar, 66 F.4th 454, 460 (4th Cir. 2023)
- Johnson v. Barnhart, 434 F.3d 650, 653 (4th Cir. 2005) (per curiam)
- Craig v. Chater, 76 F.3d 585, 589 (4th Cir. 1996)
- Mascio v. Colvin, 780 F.3d 632, 634-35, 638 (4th Cir. 2015)
- Patterson v. Colvin, 846 F.3d 656, 659 (4th Cir. 2017)
- Thomas v. Berryhill, 916 F.3d 307, 310-11 (4th Cir. 2019), as amended (Feb. 22, 2019)
- Richardson v. Perales, 402 U.S. 389, 401-02 (1971)
- Kelly v. Saul, No. 4:18-cv-153, 2019 WL 3544071, at *3 (E.D.N.C. Aug. 1, 2019)
- Hyett v. Saul, No. 1:19-cv-216, 2021 WL 1156622, at *8 (N.D.W. Va. Mar. 26, 2021)
- Seemia YS. v. Kijakazi, No. 3:20-cv-00745 (MRC), 2022 WL 722314, at *4 (E.D. Va. Jan. 27, 2022)
- Sims v. Harris, 631 F.2d 26, 28 (4th Cir. 1980)
- Monroe v. Colvin, 826 F.3d 176, 189 (4th Cir. 2016)
- Arakas v. Comm'r of Soc. Sec. Admin., 983 F.3d 83, 95-98 (4th Cir. 2020)
- Woods v. Berryhill, 888 F.3d 686, 694 (4th Cir. 2018)
- Brown v. Comm'r of Soc. Sec. Admin., 873 F.3d 251, 263 (4th Cir. 2017)
- Kimberly G. v. Comm'r of Soc. Sec. Admin., No. 2:21-cv-45 (DEM), 2021 WL 8086729, at *10 (E.D. Va. Dec. 7, 2021)
- Rita H. v. Bisignano, No. 3:24-cv-72 (HEH), 2025 WL 2060787, at *4 (E.D. Va. July 23, 2025)
- Britt v. Saul, 860 F. App'x 256, 262 (4th Cir. 2021)

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