

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Alicia L. D. v. Commissioner of Social Security

Alicia L. D. · No. 2:25-cv-10799 · Decided February 9, 2026

SUMMARY

A United States magistrate judge issued a Report and Recommendation in a Social Security appeal brought under 42 U.S.C. §§ 405(g) and 1383(c)(3). The recommendation would grant in part the plaintiff’s motion for summary judgment, deny the Commissioner’s motion, and remand the matter for further proceedings. The principal issues concern the assessment of medical opinions, subjective symptoms, and the claimant’s residual functional capacity.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Anthony P. Patti
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	February 9, 2026
DOCKET	2:25-cv-10799
DISPOSITION	remanded
PROCEDURAL POSTURE	Report and recommendation on cross-motions for summary judgment in an appeal from the Commissioner's final decision denying supplemental security income benefits.
STANDARD OF REVIEW	The court reviews the Commissioner's decision under 42 U.S.C. § 405(g), affirming factual findings supported by substantial evidence and made under proper legal standards. The court may not try the case de novo, resolve evidentiary conflicts, or decide witness credibility, but must consider evidence detracting from the Commissioner's decision and may remand when the agency fails to follow its regulations and the error prejudices the claimant or deprives her of a substantial right.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Alicia L. D. v. Commissioner of Social Security

TOPICS

judicial review of agency action

agency adjudication

administrative law

administrative procedure act

PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ adequately evaluated the opinion of state-agency psychological consultant Joseph DeLoach, including limitations concerning sustained concentration and persistence, social interaction, and adaptation.
2. Whether the ALJ adequately evaluated Plaintiff's subjective symptoms under 20 C.F.R. § 416.929 and SSR 16-3p, including medication side effects, bathroom use, standing and walking, and daily and social activities.
3. Whether the ALJ's RFC assessment was supported by substantial evidence and complied with applicable Social Security regulations.

HOLDINGS

1. The ALJ erred in stating that the record showed medication side effects were denied because the cited records merely stated that medication benefits, risks, and side effects were discussed.
2. The ALJ's analysis of Plaintiff's reported bathroom use was incomplete and required clarification concerning her gastroparesis and gastrointestinal symptoms.
3. The ALJ should clarify the evidentiary basis for the RFC finding that Plaintiff could stand or walk for six hours in an eight-hour workday and should clarify his treatment of her subjective statements concerning those activities.
4. The ALJ should revisit whether Plaintiff's social functioning warranted greater limitations, including limitations concerning interaction with coworkers and supervisors.

KEY QUOTATIONS

"Having to spend inordinately long periods in or make an unusual number of visits to the bathroom during the course of a workday could have an effect on employability in a competitive labor market." (PageID.57)

"The pages cited by the ALJ merely state: "Medication benefits, risks, and side effects discussed.""
(PageID.58)

FACTUAL BACKGROUND

Alicia L. D. applied for supplemental security income, alleging disability based on numerous physical and mental conditions, including spinal and hip disease, asthma, inflammatory arthritis, fibromyalgia, depression,

anxiety, PTSD, gastroparesis, and autonomic and gastrointestinal symptoms. The ALJ found several severe impairments, assessed an RFC for a restricted range of light work, and determined at step five that Plaintiff could perform jobs existing in significant numbers in the national economy. Plaintiff challenged the RFC assessment, particularly the treatment of medical opinion evidence, subjective symptoms, bathroom use, standing and walking, and social functioning.

PROCEDURAL HISTORY

Plaintiff applied for SSI benefits in July 2021. The application was denied initially and on reconsideration; following an August 30, 2023 administrative hearing, the ALJ issued an unfavorable decision on April 2, 2024. The Appeals Council denied review on February 7, 2025, making the ALJ's decision the Commissioner's final decision. Plaintiff filed this action under 42 U.S.C. §§ 405(g) and 1383(c)(3), and the magistrate judge recommended granting Plaintiff's motion in part, denying the Commissioner's motion, and remanding.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Commissioner should clarify the ALJ's treatment of Plaintiff's medication side effects, gastroparesis-related bathroom use, standing and walking limitations, and social activities, and should revisit whether additional social-interaction limitations are warranted. The remand is for action consistent with the report and recommendation.

CASES CITED

- Howard v. Commissioner of Social Security, 276 F.3d 235, 239 (6th Cir. 2002)
- Rabbers v. Commissioner of Social Security, 582 F.3d 647, 651 (6th Cir. 2009)
- Rogers v. Commissioner of Social Security, 486 F.3d 234, 241, 247 (6th Cir. 2007)
- Cutlip v. Secretary of Health and Human Services, 25 F.3d 284, 286 (6th Cir. 1994)
- Bass v. McMahon, 499 F.3d 506, 509 (6th Cir. 2007)
- TNS, Inc. v. NLRB, 296 F.3d 384, 395 (6th Cir. 2002)
- Universal Camera Corp. v. NLRB, 340 U.S. 474, 487 (1951)
- Blakley v. Commissioner of Social Security, 581 F.3d 399, 406 (6th Cir. 2009)
- Key v. Callahan, 109 F.3d 270, 273 (6th Cir. 1997)
- Bowen v. Commissioner of Social Security, 478 F.3d 742, 746 (6th Cir. 2007)
- Lester v. Social Security Administration, 596 F. App'x 387, 389-90 (6th Cir. 2015)
- Casey v. Secretary of Health & Human Services, 987 F.2d 1230, 1235 (6th Cir. 1993)
- Varga v. Colvin, 794 F.3d 809, 816 (7th Cir. 2015)
- Mokbel-Aljahmi v. Commissioner of Social Security, 732 F. App'x 395, 401 (6th Cir. 2018)

- Davis v. Commissioner of Social Security Administration, 2019 WL 2051899, at *6 (E.D. Mich. Feb. 19, 2019), report and recommendation adopted, 2019 WL 1324239 (E.D. Mich. Mar. 25, 2019)
- Gross v. Commissioner of Social Security, 247 F. Supp. 3d 824, 830 (E.D. Mich. 2017)
- Rudd v. Commissioner of Social Security, 531 F. App'x 719, 727 (6th Cir. 2013)
- Kennedy v. Commissioner of Social Security, 87 F. App'x 464, 466 (6th Cir. 2003)
- Blacha v. Secretary of Health & Human Services, 927 F.2d 228, 231 (6th Cir. 1991)
- Walters v. Commissioner of Social Security, 127 F.3d 525, 529 (6th Cir. 1997)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Howard v. Secretary of Health & Human Services, 932 F.2d 505 (6th Cir. 1991)
- Willis v. Secretary of Health & Human Services, 931 F.2d 390, 401 (6th Cir. 1991)
- Smith v. Detroit Federation of Teachers Local 231, 829 F.2d 1370, 1273 (6th Cir. 1987)

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