

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

**Christopher Cottingham v. Frank Bisignano, Commissioner of Social
Security**

No. 1:24-cv-02130 (M.D. Pa. Mar. 9, 2026) · No. 1:24-cv-02130 · Decided March 9, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania reviews Christopher Cottingham’s challenge to the denial of disability insurance benefits and supplemental security income. The court concludes that the Administrative Law Judge failed to adequately articulate whether Cottingham’s headaches medically equaled Listing 11.02 and vacates the Commissioner’s decision, remanding for further proceedings.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Susan E. Schwab
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 9, 2026
DOCKET	1:24-cv-02130
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) and § 1383(c)(3) of the Commissioner's final decision denying applications for disability insurance benefits and supplemental security income.
STANDARD OF REVIEW	The court has plenary review of legal issues and reviews the Commissioner's factual findings for substantial evidence under 42 U.S.C. § 405(g). The court must review the record as a whole and determine whether the Commissioner applied the correct law and adequately articulated the basis for the decision.
PRECEDENTIAL VALUE	unpublished
PARTIES	Christopher Cottingham v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

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PRACTICE AREAS

Social Security disability

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QUESTIONS PRESENTED

1. Whether the ALJ adequately evaluated at step three whether Cottingham's primary headache disorder medically equaled Listing 11.02 under SSR 19-4p.
2. Whether the ALJ's error was harmless.
3. Whether the court should award benefits or remand for further administrative proceedings.

HOLDINGS

1. The ALJ erred by failing to adequately address whether Cottingham's migraine headaches medically equaled Listing 11.02. The conclusory statement that no acceptable medical source had opined that the headaches were medically equivalent did not adequately address the criteria of Listings 11.02B and 11.02D or the factors identified in SSR 19-4p.
2. The error was not harmless.
3. Remand for further proceedings was the appropriate remedy rather than an award of benefits.

KEY QUOTATIONS

“In sum, the ALJ’s conclusory step three analysis—even when coupled with his later RFC assessment—fails to adequately address whether Cottingham’s migraine headaches are equivalent to Listing 11.02 in accordance with SSR 19-4p, which “prevents the Court from conducting a meaningful, albeit deferential, review.””
(Discussion § V.B)

“For the foregoing reasons, we will vacate the decision of the Commissioner and remand the case to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).” (Conclusion § VI)

FACTUAL BACKGROUND

Cottingham alleged disability beginning July 1, 2018, based principally on impairments including a subarachnoid hemorrhage, intracranial aneurysm, migraines, hypertension, depression, and neurocognitive disorder. The record described frequent and sometimes debilitating headaches, including headaches associated with nausea, photophobia, dizziness, concentration problems, and a need to lie down in a quiet, dark room. The ALJ found that Cottingham could perform a limited range of light work and denied benefits, relying in part on selected medical-record references concerning improvement in headaches and normal examination findings.

PROCEDURAL HISTORY

Cottingham applied for disability insurance benefits and supplemental security income in October 2018. The ALJ denied the claims in 2020, but the Appeals Council vacated that decision and remanded for further proceedings, including development of the record, consideration of a family statement, evaluation of symptoms,

and reassessment of residual functional capacity. After two additional hearings, the ALJ again denied benefits on April 23, 2024, and the Appeals Council denied review. Cottingham then filed this action; the district court vacated the Commissioner's decision and remanded for further proceedings because the ALJ inadequately analyzed whether his headaches medically equaled Listing 11.02 under SSR 19-4p.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Vacate the Commissioner's decision and remand under sentence four of 42 U.S.C. § 405(g) for further proceedings. The ALJ must adequately evaluate whether Cottingham's primary headache disorder medically equals Listing 11.02, including consideration of Listings 11.02B and 11.02D and the factors identified in SSR 19-4p. The court did not decide Cottingham's remaining claims of error.

CASES CITED

- *Ficca v. Astrue*, 901 F. Supp. 2d 533, 536 (M.D. Pa. 2012)
- *Biestek v. Berryhill*, 587 U.S. 97, 99, 103 (2019)
- *Consolidated Edison Co. of New York v. N.L.R.B.*, 305 U.S. 197, 229 (1938)
- *Jesurum v. Secretary of U.S. Department of Health & Human Services*, 48 F.3d 114, 117 (3d Cir. 1995)
- *Mason v. Shalala*, 994 F.2d 1058, 1064 (3d Cir. 1993)
- *Consolo v. Federal Maritime Commission*, 383 U.S. 607, 620 (1966)
- *Leslie v. Barnhart*, 304 F. Supp. 2d 623, 627 (M.D. Pa. 2003)
- *Jury v. Colvin*, No. 3:12-CV-2002, 2014 WL 1028439, at *1 n.5 (M.D. Pa. Mar. 14, 2014)
- *Snyder v. Colvin*, No. 3:16-CV-01689, 2017 WL 1078330, at *1 (M.D. Pa. Mar. 22, 2017)
- *Hess v. Commissioner of Social Security*, 931 F.3d 198, 198 n.2, 202 (3d Cir. 2019)
- *Burnett v. Commissioner of Social Security Administration*, 220 F.3d 112, 119-21 (3d Cir. 2000)
- *Hartranft v. Apfel*, 181 F.3d 358, 359 n.1 (3d Cir. 1999)
- *Smith v. Commissioner of Social Security*, 631 F.3d 632, 634 (3d Cir. 2010)
- *Fargnoli v. Massanari*, 247 F.3d 34, 39, 44 n.7 (3d Cir. 2001)
- *Cotter v. Harris*, 642 F.2d 700, 704-05 (3d Cir. 1981)
- *Schaudeck v. Commissioner of Social Security Administration*, 181 F.3d 429, 433 (3d Cir. 1999)
- *Johnson v. Commissioner of Social Security*, 529 F.3d 198, 204 (3d Cir. 2008)
- *Sullivan v. Zebley*, 493 U.S. 521, 530-32 (1990)
- *Plummer v. Apfel*, 186 F.3d 422, 428 (3d Cir. 1999)
- *Jones v. Barnhart*, 364 F.3d 501, 505 (3d Cir. 2004)
- *Diaz v. Commissioner of Social Security*, 577 F.3d 500, 504 (3d Cir. 2009)
- *Clifton v. Chater*, 79 F.3d 1007, 1009 (10th Cir. 1996)

- *Tyson v. Kijakazi*, No. 1:21-CV-855, 2022 WL 3975002, at *10, *15 (M.D. Pa. July 25, 2022)
- *Falardo-Weller v. Kijakazi*, No. 3:22-CV-01026, 2023 WL 6119101, at *6, *8-*9 (M.D. Pa. Sept. 18, 2023)
- *Izalia V. v. O'Malley*, No. 4:22-CV-1819, 2024 WL 4505469, at *5 (M.D. Pa. Oct. 16, 2024)
- *Fewell v. O'Malley*, No. 1:23-CV-00865, 2024 WL 4182115, at *4, *6 (M.D. Pa. Aug. 19, 2024)
- *Amy B. v. Bisignano*, No. 1:24-CV-02091, 2026 WL 567656, at *8 (M.D. Pa. Jan. 28, 2026)
- *Holloman v. Commissioner of Social Security*, 639 F. App'x 810, 814 (3d Cir. 2016)
- *Shinseki v. Sanders*, 556 U.S. 396, 413 (2009)
- *Brown v. Astrue*, 649 F.3d 193, 195 (3d Cir. 2011)
- *Securities & Exchange Commission v. Chenery Corp.*, 318 U.S. 80, 87 (1943)
- *Brown v. Saul*, No. CV 3:18-1619, 2020 WL 6731732, at *7 (M.D. Pa. Oct. 23, 2020)
- *Brownawell v. Commissioner of Social Security*, 554 F.3d 352, 358 (3d Cir. 2008)
- *Morales v. Apfel*, 225 F.3d 310, 320 (3d Cir. 2000)
- *Podedworny v. Harris*, 745 F.2d 210, 221-23 (3d Cir. 1984)
- *Diaz v. Berryhill*, 388 F. Supp. 3d 382, 391 (M.D. Pa. 2019)