

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Selzer v. Commissioner of Social Security

Selzer · No. 1:24-cv-00706-SAB · Decided August 11, 2025

SUMMARY

The United States District Court for the Eastern District of California reviews a final decision denying Michael Thomas Selzer’s application for Social Security disability benefits. The court rejects challenges to the administrative law judge’s assessment of Selzer’s mental residual functional capacity, alleged physical symptoms, and duty to develop the record. The court concludes that substantial evidence supports the Commissioner’s decision and affirms it.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 11, 2025
DOCKET	1:24-cv-00706-SAB
DISPOSITION	affirmed
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying supplemental security income benefits.
STANDARD OF REVIEW	The court reviews only issues raised by the challenging party and may disturb the Commissioner's decision only for legal error or findings unsupported by substantial evidence. The court must consider the record as a whole, may not affirm on grounds not relied upon by the ALJ, and must uphold the ALJ's conclusion when the evidence is susceptible to more than one rational interpretation. Any error is harmless if inconsequential to the ultimate nondisability determination.
PRECEDENTIAL VALUE	unpublished
PARTIES	Michael Thomas Selzer v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

agency adjudication

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ adequately assessed Selzer's mental residual functional capacity.
2. Whether the ALJ was required to obtain a medical opinion that reviewed the majority or entirety of Selzer's mental-health treatment records.
3. Whether the ALJ failed to fulfill the duty to develop the administrative record.
4. Whether the ALJ provided legally sufficient reasons for evaluating Selzer's subjective complaints about the intensity and limiting effects of his symptoms.
5. Whether the ALJ's failure to provide specific reasons for rejecting the testimony of Selzer's uncle was harmful error.

HOLDINGS

1. The ALJ did not err by failing to obtain a treating or consultative medical opinion that reviewed the majority or entirety of Selzer's mental-health records; no statute, regulation, or binding authority requires such a comprehensive record review by a single physician.
2. The ALJ's heightened duty to develop the record was not triggered because the record was not incomplete or ambiguous.
3. The ALJ adequately supported the mental RFC with substantial evidence and did not improperly interpret medical evidence or fail to develop the record.
4. The ALJ did not err in evaluating Selzer's subjective complaints because the decision identified and discussed evidence that was inconsistent with the alleged severity of his symptoms and otherwise provided legally sufficient reasons.
5. Any error in failing to provide a specific germane reason for rejecting the uncle's testimony was harmless because the testimony was cumulative of evidence the ALJ appropriately rejected and did not alter the ultimate nondisability determination.

KEY QUOTATIONS

"The claimant has the burden of proving that she is disabled." (discussion of duty to develop the record)

"Ultimately, the 'clear and convincing' standard requires an ALJ to show his work." (discussion of subjective complaints)

"For the foregoing reasons, IT IS HEREBY ORDERED that the decision of the Commissioner of Social Security is AFFIRMED." (conclusion)

FACTUAL BACKGROUND

Selzer alleged disability based principally on mental impairments, including schizoaffective disorder, bipolar disorder, and posttraumatic stress disorder. The ALJ found that Selzer had no past relevant work but retained the residual functional capacity for work at all exertional levels with limitations to simple, routine, repetitive, low-stress work, occasional decision-making and workplace changes, occasional coworker interaction, and no direct public interaction. The record included treatment for hallucinations, anxiety, depression, and social difficulties, as well as an inpatient psychiatric admission in October 2021, later behavioral-health treatment, and participation in an adult day program.

PROCEDURAL HISTORY

Selzer protectively filed an application for supplemental security income alleging disability beginning January 30, 2020. The application was denied initially and on reconsideration; following a February 17, 2023 hearing, the ALJ found that Selzer was not disabled because he could perform jobs existing in significant numbers in the national economy. The Appeals Council denied review on December 22, 2023. After the parties consented to magistrate-judge jurisdiction and submitted briefs without oral argument, the court affirmed the Commissioner's decision and directed entry of judgment for the Commissioner.

DISPOSITION

affirmed

CASES CITED

- Batson v. Commissioner of Social Security Administration, 359 F.3d 1190, 1194 (9th Cir. 2004)
- Stout v. Commissioner, Social Security Administration, 454 F.3d 1050, 1052, 1055-56 (9th Cir. 2006)
- Ford v. Saul, 950 F.3d 1141, 1148-49, 1154 (9th Cir. 2020)
- Vertigan v. Halter, 260 F.3d 1044, 1049 (9th Cir. 2001)
- Lounsbury v. Barnhart, 468 F.3d 1111, 1114 (9th Cir. 2006)
- Osenbrock v. Apfel, 240 F.3d 1157, 1162 (9th Cir. 2001)
- Andrews v. Shalala, 53 F.3d 1035, 1039 (9th Cir. 1995)
- Smolen v. Chater, 80 F.3d 1273, 1288 (9th Cir. 1996)
- Celaya v. Halter, 332 F.3d 1177, 1183 (9th Cir. 2003)
- Brown v. Heckler, 713 F.2d 441, 443 (9th Cir. 1983)
- Higbee v. Sullivan, 975 F.2d 558, 561-62 (9th Cir. 1992)
- Tonapetyan v. Halter, 242 F.3d 1144, 1150-51 (9th Cir. 2001)
- Labuga v. Commissioner of Social Security, No. 1:24-cv-00890-SAB, 2025 WL 1911690, at *6 (E.D. Cal. July 11, 2025)
- Obrien v. Bisignano, 142 F.4th 687, 699 (9th Cir. 2025)
- Scott T. C. v. Commissioner of Social Security, No. 1:23-cv-01776-SAB, 2025 WL 227288, at *5 (E.D. Cal. Jan. 17, 2025)
- Penny v. Sullivan, 2 F.3d 953, 957 (9th Cir. 1993)
- Stevenson v. Colvin, No. 2:15-cv-0463-CKD, 2015 WL 6502198 (E.D. Cal. Oct. 27, 2015)

- Lewis v. Apfel, 236 F.3d 503, 517 n.13 (9th Cir. 2001)
- Reddick v. Chater, 157 F.3d 715, 720 (9th Cir. 1998)
- Biestek v. Berryhill, 587 U.S. 97, 103 (2019)
- Stiffler v. O'Malley, 102 F.4th 1102, 1106 (9th Cir. 2024)
- Thomas v. Barnhart, 278 F.3d 947, 954 (9th Cir. 2002)
- Flaten v. Secretary of Health & Human Services, 44 F.3d 1453, 1457 (9th Cir. 1995)
- Leach v. Kijakazi, 70 F.4th 1251, 1255 (9th Cir. 2023)
- Molina v. Astrue, 674 F.3d 1104, 1115, 1122 (9th Cir. 2012)
- Hill v. Astrue, 698 F.3d 1153, 1159 (9th Cir. 2012)
- Robbins v. Social Security Administration, 466 F.3d 880, 882 (9th Cir. 2006)
- Orn v. Astrue, 495 F.3d 625, 630 (9th Cir. 2007)
- Connett v. Barnhart, 340 F.3d 871, 874 (9th Cir. 2003)
- Burch v. Barnhart, 400 F.3d 676, 679 (9th Cir. 2005)
- Garrison v. Colvin, 759 F.3d 995, 1010 (9th Cir. 2014)
- Lambert v. Saul, 980 F.3d 1266, 1277-78 (9th Cir. 2020)
- Brown-Hunter v. Colvin, 806 F.3d 487, 488-89 (9th Cir. 2015)
- Smartt v. Kijakazi, 53 F.4th 489, 498-99 (9th Cir. 2022)
- Treichler v. Commissioner of Social Security Administration, 775 F.3d 1090, 1102 (9th Cir. 2014)
- Carmickle v. Commissioner, Social Security Administration, 533 F.3d 1155 (9th Cir. 2008)
- Miller v. Gammie, 335 F.3d 889, 893 (9th Cir. 2003)
- Hudnall v. Dudek, No. 23-3727, 2025 WL 1379101, at *3-*4 (9th Cir. May 13, 2025)