

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Lyric R. v. Commissioner of Social Security

Lyric R. · No. 1:25-cv-00234 (MAD/MJK) · Decided January 13, 2026

SUMMARY

The United States District Court for the Northern District of New York adopts a magistrate judge's recommendation in a Social Security disability benefits action. The court grants the plaintiff's motion, denies the Commissioner's motion, and remands the benefits decision under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The court finds errors in the evaluation of the plaintiff's migraines, daily activities, and medical opinions.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Mae A. D'Agostino
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	January 13, 2026
DOCKET	1:25-cv-00234 (MAD/MJK)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought review under 42 U.S.C. §§ 405(g) and 1383(c)(3) of the Commissioner's denial of supplemental security income and disability insurance benefits. The parties filed briefs treated as motions under Federal Rule of Civil Procedure 12(c). The court reviewed the magistrate judge's report and recommendation for clear error because neither party filed objections.
STANDARD OF REVIEW	The court reviewed the unobjected-to magistrate judge's recommendations for clear error and reviewed the Commissioner's disability determination under the substantial-evidence standard. The court also considered whether the ALJ adequately explained the reasoning supporting the decision to permit meaningful judicial review.
PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only
PARTIES	Lyric R. v. Commissioner of Social Security

TOPICS

judicial review of agency action

agency adjudication

administrative law

disability definition

ada / disability

PRACTICE AREAS

Social Security

administrative law

disability benefits

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ's evaluation of Plaintiff's migraines and headache-related limitations was supported by substantial evidence.
2. Whether the ALJ mischaracterized Plaintiff's reported daily activities and physical abilities and failed to build a logical bridge between those activities and the ability to perform full-time work.
3. Whether the ALJ adequately evaluated the persuasiveness of competing medical opinions under 20 C.F.R. §§ 404.1520c and 416.920c.
4. Whether the ALJ was required to explicitly discuss Plaintiff's ECOG performance scores.

HOLDINGS

1. The ALJ's conclusion that Plaintiff's migraines were well managed and controlled was not supported by substantial evidence because the ALJ failed to identify specific record evidence supporting that conclusion and improperly focused on objective evidence while disregarding other evidence concerning the severity and effects of the headaches.
2. The ALJ's decision was not supported by substantial evidence to the extent it relied on erroneous or overstated descriptions of Plaintiff's lifting ability, dexterity, cooking, and ability to change cat litter.
3. The ALJ failed to explain how Plaintiff's routine activities demonstrated an ability to perform full-time employment and therefore failed to create a logical bridge between the evidence and the conclusion that Plaintiff was not disabled.
4. The ALJ failed to properly evaluate the persuasiveness of the medical opinions because the decision did not indicate that the ALJ considered the providers' relationships with Plaintiff, medical specialties, or relative expertise, and inadequately explained the asserted supportability and consistency of the opinions.
5. The ALJ was required to consider Plaintiff's ECOG performance scores as part of the complete case record but was not required to mention them explicitly in the written decision.

KEY QUOTATIONS

“put blinders on, examined only the objective medical evidence, and refused to acknowledge other parts of the record.” (Dkt. No. 16 at 8)

“it is unclear what the ALJ reviewed to determine that Lyric's migraines were 'well managed and controlled with medication.’” (Dkt. No. 16 at 9)

“create a logical bridge of reasoning” (Dkt. No. 16 at 12)

FACTUAL BACKGROUND

Plaintiff sought SSI and DIB based primarily on disabling migraines, headaches, dizziness, and related limitations. The ALJ characterized Plaintiff's headaches as well managed and controlled, relied on daily activities and selected medical opinions in finding her not disabled, and discounted treating neurologist Dr. Kumar's opinion that Plaintiff could not work. The record indicated daily headaches, increased medication needs, sleep disruption, inability to drive because of dizziness, and limitations affecting cooking and lifting.

PROCEDURAL HISTORY

The Commissioner denied Plaintiff's applications for SSI and DIB. Magistrate Judge Mitchell Katz recommended granting Plaintiff's motion, denying Defendant's motion, and remanding for further administrative proceedings. The district court found no clear error, adopted the Report-Recommendation in its entirety, granted Plaintiff's motion, denied Defendant's motion, remanded under sentence four of 42 U.S.C. § 405(g), and directed entry of judgment for Plaintiff.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner's decision is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the order, including proper evaluation of Plaintiff's migraines, reported limitations and daily activities, and medical-opinion evidence.

CASES CITED

- Coleman v. Hanuszcak, No. 5:16-CV-735, 2016 WL 4523918, at *1 (N.D.N.Y. Aug. 22, 2016)
- Petersen v. Astrue, 2 F. Supp. 3d 223, 229 (N.D.N.Y. 2012)
- Biestek v. Berryhill, 587 U.S. 97, 99, 102-03 (2019)
- Consolidated Edison Co. v. NLRB, 305 U.S. 197, 229 (1938)
- Williams v. Bowen, 859 F.2d 255, 258 (2d Cir. 1988)
- Brown v. Colvin, No. 5:14-cv-725, 2015 WL 4488670, at *4 (N.D.N.Y. July 22, 2015)
- Selian v. Astrue, 708 F.3d 409, 417-18 (2d Cir. 2013)
- Dodson v. Berryhill, No. 6:16-CV-0597, 2017 WL 2838167, at *9-10 (N.D.N.Y. June 30, 2017)
- Renee M. B. v. Commissioner of Social Security, No. 1:19-cv-00922, 2021 WL 716704, at *6 (W.D.N.Y. Feb. 24, 2021)
- Brown v. Commissioner of Social Security, No. 06-CV-3174, 2011 WL 1004696, at *5 (E.D.N.Y. Mar. 18, 2011)
- Woodford v. Apfel, 93 F. Supp. 2d 521, 529 (S.D.N.Y. 2000)

- Jennifer A. v. Commissioner of Social Security, No. 1:22-CV-1167, 2023 WL 8654215, at *4 (N.D.N.Y. Dec. 13, 2023)
- Jessica L.M. v. Commissioner of Social Security, No. 5:24-CV-00403, 2025 WL 1994917, at *11 (N.D.N.Y. June 9, 2025)
- Durakovic v. Colvin, No. 3:12-CV-6, 2014 WL 1293427, at *8 (N.D.N.Y. Mar. 31, 2014)

OPINION

Bisignano

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK

LYRIC R.,

Plaintiff, vs. 1:25-cv-00234

(MAD/MJK)

COMMISSIONER OF SOCIAL SECURITY,

Defendant. _____

APPEARANCES: OF

COUNSEL: HILLER COMERFORD INJURY JUSTIN M. GOLDSTEIN, ESQ.

& DISABILITY LAW

6000 North Bailey Avenue, Suite 1a Amherst, New York 14226 Attorneys for Plaintiff SOCIAL SECURITY ADMINISTRATION AMY BLAND, ESQ. 6401 Security Boulevard VERNON NORWOOD, ESQ. Baltimore, Maryland 21235 Attorneys for Defendant Mae A. D'Agostino, U.S.

District Judge:

ORDER

Lyric R. ("Plaintiff") commenced this action on February 21, 2025, pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3). Dkt. No. 1. Plaintiff seeks review of a decision by the Commissioner of Social Security ("Defendant" or "the Commissioner"), which denied her application for supplemental security income ("SSI") and disability insurance benefits ("DIB") based on a lack of disability. See *id.* Both parties filed briefs, which the Court treats as motions under Federal Rule of Civil Procedure 12(c), on the issue of whether substantial evidence supports the decision of the Administrative Law Judge ("ALJ") regarding Plaintiff's disability status. See Dkt. Nos. 7, 14, 15. In a Report-Recommendation dated December 2, 2025, Magistrate Judge Mitchell Katz recommended that Plaintiff's motion be granted, Defendant's motion be denied, and the Commissioner's decision be remanded for further administrative proceedings.¹ Dkt. No. 16. Neither party filed objections to the Report-Recommendation. When a party declines to file objections to a magistrate judge's report-recommendation, the court reviews the recommendations for clear error. See *Coleman v. Hanuszczyk*, No. 5:16- CV-735, 2016 WL 4523918, *1 (N.D.N.Y. Aug. 22, 2016); *Petersen v. Astrue*, 2 F. Supp. 3d 223, 229 (N.D.N.Y. 2012). "When performing

such a 'clear error' review, 'the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Petersen, 2 F. Supp. 3d at 229 (citation omitted). After the appropriate review, "the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Magistrate Judge Katz correctly stated that a "substantial evidence" standard applies to the ALJ's decision. Dkt. No. 16 at 3; see *Biestek v. Berryhill*, 587 U.S. 97, 99 (2019) (citing 42 U.S.C. § 405(g)). "Under the substantial-evidence standard, a court looks to an existing administrative record and asks whether it contains 'sufficien[t] evidence' to support the agency's factual determinations." *Biestek*, 587 U.S. at 102 (quoting *Consol. Edison Co. v. NLRB*, 305 U.S. 197, 229 (1938)). Although "the threshold for such evidentiary sufficiency is not high[.]" *id.* at 103, "[i]t is more than a mere scintilla or a touch of proof here and there in the record[.]" *Williams v. Bowen*, 859 F.2d 255, 258 (2d Cir. 1988).¹ Although the final page of the Report-Recommendation states that the Court should affirm the Commissioner's decision, it is clear from the surrounding context that Magistrate Judge Katz recommends remanding the decision. Furthermore, as Magistrate Judge Katz mentioned, ALJs use a five-step analysis to evaluate disability insurance and supplemental security income claims. Dkt. No. 16 at 3. Magistrate Judge Katz did not elaborate on those steps, so the Court summarizes them as follows: First, the Commissioner considers whether the claimant is currently engaged in substantial gainful activity. If [she] is not, the Commissioner next considers whether the claimant has a "severe impairment" which significantly limits [her] physical or mental ability to do basic work activities. If the claimant suffers such an impairment, the third inquiry is whether, based solely on medical evidence, the claimant has an impairment which meets or equals the criteria of an impairment listed in Appendix 1 of the regulations. If the claimant has such an impairment, the Commissioner will consider [her] [per se] disabled Assuming the claimant does not have a listed impairment, the fourth inquiry is whether, despite the claimant's severe impairment, [she] has the residual functional capacity to perform [her] past work. Finally, if the claimant is unable to perform [her] past work, the Commissioner then determines whether there is other work which the claimant could perform. *Brown v. Colvin*, No. 5:14-cv-725, 2015 WL 4488670, *4 (N.D.N.Y. July 22, 2015) (quoting *Selian v. Astrue*, 708 F.3d 409, 417-18 (2d Cir. 2013); citing 20 C.F.R. §§ 404.1520, 416.920). As Magistrate Judge Katz explained, Plaintiff argues that in applying the five-step framework, the ALJ failed to properly evaluate her migraines, mischaracterized evidence, failed to provide reasoning that constitutes an adequate basis for meaningful judicial review, and failed to address necessary evidence. Dkt. No. 16 at 6-7; see also Dkt. No. 7. In recommending remand of the ALJ's decision, Magistrate Judge Katz first concluded that the decision "misunderstands the insidious nature of migraines" and "discount[s] the intensity, persistence, and limiting effects of Lyric's migraines." Dkt. No. 16 at 7-8. More specifically, Magistrate Judge Katz found that the ALJ "put blinders on, examined only the objective medical evidence, and refused to acknowledge other parts of the record." *Id.* at 8. Because it is improper for an ALJ to look only for

objective evidence of severe headaches while ignoring other evidence in the record, see *Dodson v. Berryhill*, No. 6:16-CV-0597, 2017 WL 2838167, at *9-10 (N.D.N.Y. June 30, 2017), the Court sees no clear error in Magistrate Judge Katz's determination. For example, Magistrate Judge Katz rightly observed that the ALJ, with no apparent basis, declared Plaintiff's headaches "well managed and controlled" Dkt. No. 16 at 8 (quoting Dkt. No. 6 at 28). The ALJ pointed broadly to Plaintiff's continuous treatment as evidence of successful management and control, Dkt. No. 6 at 28, but as Magistrate Judge Katz emphasized, Plaintiff continues to experience daily headaches that have required higher medication doses over time, Dkt. No. 16 at 8-9. Moreover, Plaintiff reported that constant headaches prevent her from sleeping for more than two hours at a time, and her dizziness prevents her from driving. Dkt. No. 6 at 204, 206. These issues militate against a finding of successful management or control, and as Magistrate Judge Katz aptly stated, "it is unclear what the ALJ reviewed to determine that Lyric's migraines were 'well managed and controlled with medication.'" Dkt. No. 16 at 9. Because of the ALJ's failure to identify specific, substantial evidence from the record to support this conclusion, the Court finds no clear error with Magistrate Judge Katz's determination on this issue. Second, Magistrate Judge Katz concluded that the ALJ "mischaracterize[d] the record and relie[d] on the mischaracterization" by overstating how much Plaintiff can lift and overestimating her dexterity. *Id.* at 10-11. The Court does not discern any clear error in Magistrate Judge Katz's observations of certain discrepancies between the ALJ's conclusions and the evidence in the record. See Dkt. No. 6 at 28 (ALJ referencing Plaintiff's ability to change her cat's litter and prepare "simple, basic meals," including chicken and pasta, as evidence of non-disability); *id.* at 204 (function report stating that Plaintiff feeds her cat but does not change its litter because the bag is too heavy); *id.* at 204-05 (function report stating that although Plaintiff can prepare bagels, eggs, soup, sandwiches, and frozen meals independently, and reported no problems with personal care, her vertigo limits her ability to prepare meals); *id.* at 48 (Plaintiff testifying at the administrative hearing that she cannot not prepare "chicken in the oven or pasta on the stove[,] and that her "mom does most of the cooking"). To the extent that the ALJ relied on erroneous factual recitations in deeming Plaintiff non-disabled, the Court agrees with Magistrate Judge Katz that substantial evidence does not support those portions of the decision. Likewise, the Court also finds no clear error with Magistrate Judge Katz's determination that the ALJ failed to "create a logical bridge of reasoning" between the cited record evidence of Plaintiff's routine activities and her ability to work. Dkt. No. 16 at 12; see also *id.* at 15 (citing *Renee M. B. v. Comm'r of Soc. Sec.*, No. 1:19-cv-00922, 2021 WL 716704, *6 (W.D.N.Y. Feb. 24, 2021)) ("All in all, the fact that Lyric can read, watch television, and play games on her phone alone is insufficient evidence to say Lyric can perform full time employment"). Although ALJs consider a wide range of information related to a claimant's symptoms, see 20 C.F.R. § 404.1529(c), "[i]t is well-settled law in th[e Second] Circuit that [basic daily] activity does not, in itself, contradict a claim of disability, 'as people should not be penalized for enduring the pain of their disability in order to care for themselves[.]'" *Brown v. Comm'r of Soc. Sec.*, No. 06-CV-

3174, 2011 WL 1004696, *5 (E.D.N.Y. Mar. 18, 2011) (quoting *Woodford v. Apfel*, 93 F. Supp. 2d 521, 529 (S.D.N.Y. 2000)) (stating that the ALJ and Commissioner needed to show how the claimant's "occasional outings, relationship with a girlfriend, and episodic driving add[ed] up to an ability to sit upright for six hours every workday . . ."). Although the ALJ was correct to consider Plaintiff's daily activities, the decision fails to explicate why Plaintiff's ability to feed her cat, groom herself, prepare basic foods, perform light household chores, accompany her mother to the grocery store, take short walks, read, watch television, or play games on her phone indicate a lack of disability. Furthermore—although unaddressed in the Report-Recommendation—the ALJ's determination that Plaintiff can work, and therefore is not disabled, discounts her treating neurologist's opinion that Plaintiff "would be incapable of low stress work." Dkt. No. 6 at 30; see id. at 665. ALJs must use a five-factor analysis to evaluate the persuasiveness of medical opinions for claims filed after March 27, 2017. Those factors are "supportability," "consistency," "relationship with the claimant," "specialization," and "other factors that tend to support or contradict a medical opinion or prior administrative medical finding." 20 C.F.R. §§ 416.920c(c) (1)-(5). Inexplicably, the ALJ prioritized the opinion of Dr. Penn, Plaintiff's neurosurgeon, over opinions of other healthcare providers. See Dkt. No. 6 at 30-31. For example, the record shows that Plaintiff communicates monthly with her treating neurologist, Dr. Kumar, and has visited Dr. Kumar every other month for more than three years. Id. at 665. On the other hand, the record shows that Plaintiff only has "annual" contact with Dr. Penn. Id. at 662. Regardless, the ALJ determined that Dr. Kumar's assessment of Plaintiff's inability to work is "unpersuasive," partially because of its inconsistency with Dr. Penn's opinion. Id. at 30-31. Although an ALJ need not expressly mention each of the five factors, see *Jennifer A. v. Comm'r of Soc. Sec.*, No. 1:22-CV-1167, 2023 WL 8654215, *4 (N.D.N.Y. Dec. 13, 2023), there is no indication that the ALJ even considered the extent of each provider's relationship with Plaintiff, their medical specialties, or their relative expertise. Moreover, "[i]t is well-established that an ALJ may not generally assert that an opinion is 'consistent with' or 'supported by' the record, without further elaboration." *Jessica L.M. v. Comm'r of Soc. Sec.*, No. 5:24-CV-00403, 2025 WL 1994917, *11 (N.D.N.Y. June 9, 2025), report-recommendation adopted, 2025 WL 1994646 (N.D.N.Y. July 17, 2025). As such, in addition to the reasons Magistrate Judge Katz identified, the ALJ's failure to properly evaluate the persuasiveness of various medical opinions warrants remand. Finally, although also not addressed in the Report-Recommendation, the parties dispute whether the ALJ was required to discuss Plaintiff's Eastern Cooperative Oncology Group ("ECOG") performance scores. See Dkt. No. 7 at 23; Dkt. No. 14 at 13-14. The applicable regulations require ALJs to "consider all evidence in [the claimant's] case record[.]" 20 C.F.R. §§ 404.1520(a)(3), 416.920(a)(3), but do not require them to explicitly mention every piece of record evidence in the decision, see *Durakovic v. Colvin*, No. 3:12-CV-6, 2014 WL 1293427, *8 (N.D.N.Y. Mar. 31, 2014) (collecting cases). Thus, the ALJ was required to consider the ECOG scores as part of the record, but did not need to mention them explicitly. Having reviewed the Report-Recommendation, the parties' submissions,

and the applicable law, the Court concludes that Magistrate Judge Katz correctly determined that the Court should remand the Commissioner's decision for further proceedings. Accordingly, the Court hereby ORDERS that Magistrate Judge Katz's Report-Recommendation (Dkt. No. 16) is ADOPTED in its entirety; and the Court further ORDERS that Plaintiff's motion (Dkt. No. 7) is GRANTED; and the Court further ORDERS that Defendant's motion (Dkt. No. 14) is DENIED; and the Court further ORDERS that Defendant's decision denying Plaintiff benefits is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings; and the Court further ORDERS that the Clerk of the Court shall enter judgment in Plaintiff's favor and close this case; and the Court further ORDERS that the Clerk of the Court shall serve a copy of this Order on the parties in accordance with the Local Rules. IT IS SO ORDERED. Dated: January 13, 2026 J) 4 vv Uo 7 Albany, New York Mae A. D'Agosting~" U.S. District Judge