

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS, CENTRAL DIVISION

Alexis Rogers on behalf of KCF v. Martin O’Malley, Commissioner,
Social Security Administration

Rogers v. O’Malley · No. No. 4:25-cv-00663-JM-JJV · Decided December 4, 2025

SUMMARY

This proposed findings and recommended disposition addresses a pro se appeal challenging the denial of supplemental security income benefits to a minor child. The magistrate judge concluded that the Administrative Law Judge’s determination that the child’s impairments did not meet, medically equal, or functionally equal a listed impairment was supported by substantial evidence. The document recommends affirming the Commissioner’s decision and dismissing the complaint with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Arkansas, Central Division
WRITING FOR THE COURT	United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of Arkansas, Central Division
DECIDED	December 4, 2025
DOCKET	No. 4:25-cv-00663-JM-JJV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying supplemental security income benefits to her minor child. The magistrate judge issued proposed findings and a recommended disposition to affirm the Commissioner's decision and dismiss the complaint with prejudice, subject to objections and review by the district judge.
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court determines whether substantial evidence on the record as a whole supports the Commissioner's decision and whether the decision is free of legal error. The court may not reweigh the evidence, decide the issues de novo, or reverse merely because substantial evidence could support a contrary decision.
PRECEDENTIAL VALUE	unknown; proposed findings and recommended disposition

PARTIES

Alexis Rogers on behalf of KCF v. Martin O'Malley, Commissioner,
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TOPICS

judicial review of agency action

administrative law

disability definition

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PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether substantial evidence supported the ALJ's determination that KCF's impairments did not functionally equal a listed impairment.
2. Whether the ALJ adequately considered KCF's combined impairments and educational evidence.
3. Whether evidence of an autism diagnosis obtained after the ALJ's decision could be considered on judicial review or warranted a sentence-six remand.

HOLDINGS

1. The ALJ's determination that KCF did not have marked limitations in two functional domains or an extreme limitation in one domain was supported by substantial evidence and was not based on legal error.
2. The court could not consider evidence obtained after the administrative proceedings that was not part of the record before the Commissioner.
3. A sentence-six remand was not warranted because Plaintiff did not show that the later-obtained condition existed before May 29, 2024.

KEY QUOTATIONS

"The role of courts under 42 U.S.C. § 405(g) is to determine whether there is substantial evidence in the record to support the decision of the Commissioner, and not to re-weigh the evidence or try the issues de novo." (Section II)

"It is not the task of a court to review the evidence and make an independent decision. Neither is it to reverse the decision of the ALJ because there is evidence in the record which contradicts his findings." (Section IV)

FACTUAL BACKGROUND

KCF, a preschool-aged child, had speech and language delays, developmental delays, fine-motor delays, and below-age gross-motor skills. Evaluations and school evidence showed varying degrees of delay, but the ALJ found less-than-marked limitations in acquiring and using information, interacting and relating with others, and moving about and manipulating objects, with no limitations in the remaining domains. The record also showed that KCF did not qualify for speech therapy on several evaluations and that a February 2023 teacher questionnaire identified no or only slight problems in most functional areas.

PROCEDURAL HISTORY

The ALJ determined that KCF had speech and language delays and developmental delays but did not have an impairment or combination of impairments that met, medically equaled, or functionally equaled a listed impairment. The Appeals Council found no basis to alter the ALJ's decision, making it the Commissioner's final administrative decision. Plaintiff filed this action challenging the decision, including the ALJ's evaluation of the Listings, combined impairments, and educational evidence. The magistrate judge recommended affirmance and dismissal with prejudice.

DISPOSITION

affirmed

CASES CITED

- *Prosch v. Apfel*, 201 F.3d 1010, 1012 (8th Cir. 2000)
- *Richardson v. Perales*, 402 U.S. 389, 390, 401 (1971)
- *Johnson v. Chater*, 87 F.3d 1015, 1017 (8th Cir. 1996)
- *Ostronski v. Chater*, 94 F.3d 413, 416 (8th Cir. 1996)
- *Ingram v. Chater*, 107 F.3d 598, 601 (8th Cir. 1997)
- *Sullivan v. Zebley*, 493 U.S. 521, 530 (1990)
- *Marciniak v. Shalala*, 49 F.3d 1350, 1351 (8th Cir. 1995)
- *Jones v. Callahan*, 122 F.3d 1148, 1154 (8th Cir. 1997)
- *Mapes v. Chater*, 82 F.3d 259, 262 (8th Cir. 1996)
- *Pratt v. Sullivan*, 956 F.2d 830, 833 (8th Cir. 1992)
- *Reutter ex rel. Reutter v. Barnhart*, 372 F.3d 946, 950 (8th Cir. 2004)