

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Melvin J. v. Commissioner of Social Security

No. 23-CV-00160-HKS (W.D.N.Y. Feb. 11, 2026) · No. 23-CV-00160-HKS · Decided February 11, 2026

SUMMARY

The United States District Court for the Western District of New York reviews the Commissioner's denial of Melvin J.'s application for Social Security disability benefits. The court addresses the ALJ's evaluation of medical opinion evidence and the step-five finding that the claimant could perform other sedentary jobs existing in significant numbers in the national economy.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	H. Kenneth Schroeder, Jr.
JURISDICTION	United States District Court for the Western District of New York
DECIDED	February 11, 2026
DOCKET	23-CV-00160-HKS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's denial of Social Security disability benefits. The parties consented to magistrate-judge jurisdiction. Plaintiff moved for judgment on the pleadings, and the Commissioner cross-moved for judgment on the pleadings.
STANDARD OF REVIEW	The court reviewed the Commissioner's final decision to determine whether it was supported by substantial evidence and based on the correct legal standard. If the evidence was susceptible to more than one rational interpretation, the Commissioner's determination had to be upheld.
PRECEDENTIAL VALUE	unknown
PARTIES	Melvin J. 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

employment and vocational evidence

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated the supportability and consistency of the medical opinion evidence, particularly the opinion of Dr. Robert M. Ungerer.
2. Whether the ALJ properly formulated plaintiff's residual functional capacity without relying exclusively on a medical-source opinion.
3. Whether the ALJ properly relied on vocational-expert testimony at step five despite a difference between the vocational expert's testimony and the Dictionary of Occupational Titles regarding the sorter position's specific vocational preparation level.
4. Whether the vocational evidence established that a significant number of jobs existed in the national economy that plaintiff could perform.

HOLDINGS

1. The ALJ adequately addressed the supportability and consistency of Dr. Ungerer's opinion and did not commit reversible error by finding the opinion only somewhat persuasive and rejecting its four-hour-per-day limitation.
2. An ALJ is not required to rely exclusively on a medical-source opinion when articulating a claimant's residual functional capacity, and the ALJ did not create a reversible evidentiary gap here.
3. The ALJ properly relied on the vocational expert's testimony concerning the sorter position because the apparent conflict with the DOT was identified and the vocational expert provided a reasonable explanation based on professional experience.
4. The vocational evidence identifying approximately 46,000 sorter jobs in the national economy established a significant number of jobs, so the court did not need to resolve plaintiff's additional challenge to the other occupations identified.

KEY QUOTATIONS

"In reviewing a final decision of the SSA, this Court is limited to determining whether the SSA's conclusions were supported by substantial evidence in the record and were based on a correct legal standard."

(Discussion and Analysis, Legal Standards)

"When there is an apparent unresolved conflict between VE or VS evidence and the DOT, the adjudicator must elicit a reasonable explanation for the conflict before relying on the VE or VS evidence to support a determination or decision about whether the claimant is disabled." (Discussion and Analysis, Step Five Analysis)

FACTUAL BACKGROUND

Melvin J. alleged disability beginning June 6, 2019, based on neck, knee, back, foot, wrist, blood-pressure, obesity, and anxiety-related conditions. Medical records showed treatment and surgeries involving his neck and other musculoskeletal conditions, but also generally preserved strength, improvement after cervical surgery, normal or relatively mild diagnostic findings, and no need for an assistive walking device. At the administrative hearing, a vocational expert testified that a person with the residual functional capacity ultimately found by the ALJ could perform sedentary jobs including document preparer, sorter, and addresser.

PROCEDURAL HISTORY

Plaintiff's claim for Title II benefits was denied initially and on reconsideration. After a telephonic hearing, the ALJ issued an unfavorable decision on February 10, 2022, and the Appeals Council denied review on December 23, 2022. The district court denied plaintiff's motion, granted the Commissioner's motion, upheld the administrative determination, and directed the Clerk to close the case.

DISPOSITION

other

CASES CITED

- Talavera v. Astrue, 697 F.3d 145, 151 (2d Cir. 2012)
- Moran v. Astrue, 569 F.3d 496, 501 (2d Cir. 2009)
- McIntyre v. Colvin, 758 F.3d 146, 149 (2d Cir. 2014)
- Yancey v. Apfel, 145 F.3d 106, 111 (2d Cir. 1998)
- Jacqueline L. v. Comm'r of Soc. Sec., 515 F. Supp. 3d 2, 7 (W.D.N.Y. 2021)
- Rosario v. Comm'r of Soc. Sec., 20 Civ. 7749 (S.D.N.Y. Mar. 18, 2022)
- Shawn H. v. Comm'r of Soc. Sec., Civil Action No. 2:19-cv-113, 2020 WL 3969879, at *6 (D. Vt. July 14, 2020)
- Samantha M. v. Comm'r of Soc. Sec., 24-CV-657-LJV, 2026 WL 265575, at *3 (W.D.N.Y. Feb. 2, 2026)
- Tanya R. v. Comm'r of Soc. Sec., 1:24-CV-00375 EAW, 2026 WL 111320, at *4 (W.D.N.Y. Jan. 15, 2026)
- Jennifer S. v. Comm'r of Soc. Sec., 24-CV-334-LJV, 2026 WL 98423, at *3-*4 (W.D.N.Y. Jan. 14, 2026)
- Angela H.-M. v. Comm'r of Soc. Sec., 631 F. Supp. 3d 1, 10 (W.D.N.Y. 2022)
- Waledahmad A. v. Comm'r of Soc. Sec., No. 1:22-cv-398-DB, 2024 WL 3722697, at *9 (W.D.N.Y. Aug. 8, 2024)
- Justin B. v. Comm'r of Soc. Sec., 20-CV-01810-MJR, 2022 WL 17592399, at *6 (W.D.N.Y. Dec. 13, 2022)
- Lakeisha P. v. Comm'r of Soc. Sec., Case No. 1:24-cv-00306 (JGW), 2025 WL 3506959, at *9 (W.D.N.Y. Dec. 8, 2025)
- Angi W. v. Comm'r of Soc. Sec., 21-CV-0557 (CJS), 2023 WL 2595008, at *11 & n.8 (W.D.N.Y. Mar. 22, 2023)