

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Hakop A. v. Leland Dudek, Acting Commissioner of Social Security

Hakop A. · No. 2:24-cv-02950-FLA (BFM) · Decided March 28, 2025

SUMMARY

The United States District Court for the Central District of California accepted a magistrate judge’s Report and Recommendation in a Social Security disability benefits action. The court reversed the Administrative Law Judge’s decision and remanded for further administrative proceedings because the Appeals Council should have considered additional medical evidence relating to the relevant period.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 28, 2025
DOCKET	2:24-cv-02950-FLA (BFM)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review of an Administrative Law Judge's denial of Social Security disability benefits. The magistrate judge recommended reversing the ALJ's decision and remanding for further administrative proceedings. The district court reviewed the Report and Recommendation de novo in light of the Commissioner's objections and accepted it.
STANDARD OF REVIEW	The district court conducted de novo review of the portions of the magistrate judge's Report and Recommendation to which objections were made. The court held that it does not review the Appeals Council's denial of review for substantial evidence because that denial is a non-final agency action; it may, however, review whether the Appeals Council should have considered evidence submitted for the first time under the agency's regulations.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

TOPICS

judicial review of agency action

administrative law

remedies

civil procedure

PRACTICE AREAS

Social Security disability benefits

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the district court may review the Appeals Council's rejection of evidence submitted for the first time to the Appeals Council.
2. Whether the Appeals Council improperly rejected evidence showing erosive changes to multiple joints as unrelated to the period before the ALJ's decision.
3. Whether reversal and remand for further administrative proceedings was appropriate.

HOLDINGS

1. The district court does not review the Appeals Council's denial of review for substantial evidence because the denial is a non-final agency action and the ALJ's decision becomes the Commissioner's final decision.
2. A federal court may review whether evidence submitted for the first time to the Appeals Council should have been considered under the agency's regulations.
3. Remand to the ALJ is appropriate when the Appeals Council was required to consider additional evidence but failed to do so.

KEY QUOTATIONS

"When the Appeals Council denies a request for review, it is a non-final agency action not subject to judicial review because the ALJ's decision becomes the final decision of the Commissioner." (at 1)

"Nevertheless, federal courts have the authority to review, as the Report did here, whether evidence presented for the first time to the Appeals Council "should have been considered," as required by the agency's regulations." (at 1)

"Where the Appeals Council was required to consider additional evidence, but failed to do so, remand to the ALJ is appropriate so that the ALJ can reconsider its decision in light of the additional evidence." (at 1-2)

FACTUAL BACKGROUND

The ALJ denied Plaintiff's application for Social Security disability benefits. Plaintiff later presented evidence to the Appeals Council showing erosive changes to multiple joints. The Appeals Council rejected the evidence as not relating to the period on or before the ALJ's decision, but the district court concluded that the evidence should have been considered because the joint changes were unlikely to have occurred overnight.

PROCEDURAL HISTORY

The ALJ denied Plaintiff's application for Social Security disability benefits. Plaintiff submitted additional evidence to the Appeals Council, which denied review. The magistrate judge recommended reversal and remand because the Appeals Council improperly rejected evidence that it should have considered. The district court overruled the Commissioner's objections, accepted the Report and Recommendation, reversed the ALJ's decision, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded for further administrative proceedings consistent with the magistrate judge's Report and Recommendation, including consideration of the additional evidence by the agency and reconsideration of the ALJ's decision.

CASES CITED

- Taylor v. Comm'n of Soc. Sec. Admin., 659 F.3d 1228, 1231 (9th Cir. 2011)
- Taylor v. Comm'n of Soc. Sec. Admin., 659 F.3d 1228, 1232-1233 (9th Cir. 2011)
- Nadon v. Saul, 851 F. App'x 24, 27 (9th Cir. 2021)
- Edgecomb v. Berryhill, 741 F. App'x 390, 393 (9th Cir. 2018)