

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Melinda N. v. Commissioner of Social Security

Melinda N. · No. 1:24-cv-00559 (JGW) · Decided March 18, 2026

SUMMARY

The United States District Court for the Western District of New York granted the plaintiff’s motion for judgment on the pleadings, denied the Commissioner’s motion, and remanded the Social Security disability claim for further proceedings. The court held that the ALJ did not adequately explain how the 10% off-task limitation in the residual functional capacity was formulated, particularly in relation to the time required to service the plaintiff’s colostomy bag and check blood sugar.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	J. Gregory Wehrman
JURISDICTION	United States District Court for the Western District of New York
DECIDED	March 18, 2026
DOCKET	1:24-cv-00559 (JGW)
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff sought review under 42 U.S.C. § 405(g) of the Commissioner's denial of disability insurance benefits. The parties filed cross-motions for judgment on the pleadings under Federal Rule of Civil Procedure 12(c).
STANDARD OF REVIEW	The court reviews the Commissioner's final decision to determine whether it is supported by substantial evidence and based on the correct legal standard. The court considers the entire record, including evidence detracting from the decision, but must uphold the Commissioner's determination if the evidence permits more than one rational interpretation.
PRECEDENTIAL VALUE	unpublished
PARTIES	Melinda N. v. Commissioner of Social Security

TOPICS

motion for judgment on the pleadings

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

Social Security disability

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ's residual functional capacity finding, specifically the limitation allowing Plaintiff to be off task up to 10 percent of the workday, was supported by substantial evidence and adequately explained.
2. Whether the ALJ adequately addressed Plaintiff's need for restroom and colostomy-related breaks in formulating the residual functional capacity.

HOLDINGS

1. The ALJ's residual functional capacity finding was not meaningfully reviewable because the decision did not explain how the specific 10-percent off-task limitation was derived from the evidence concerning Plaintiff's colostomy care and blood-sugar monitoring.
2. The court did not reach the merits of Plaintiff's separate argument that the ALJ failed to address the time required for restroom and colostomy-related breaks.

KEY QUOTATIONS

"The ALJ does not identify how he concluded that up to 10% of each workday (or a total of forty-eight minutes) was the appropriate limitation." (Tr. 21)

"But the ALJ did not identify which portion of Plaintiff's testimony he found to be credible, and thus this Court is precluded from meaningfully reviewing whether his off-task limitation is supported by substantial evidence." (Analysis)

"Given the conflicting evidence in this case, the Court is wholly unable to discharge this obligation, and therefore, the matter must be remanded." (Analysis)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning December 1, 2020, based principally on impairments arising from cervical-cancer treatment, including a permanent colostomy, neurogenic bladder and bowel problems, peripheral neuropathy, pain, and depression. She testified that she needed to empty or vent and clean her colostomy bag at varying intervals, sometimes requiring ten to fifteen minutes each time, and that she also needed time to check her blood sugar. The ALJ limited her to being off task up to 10 percent of the workday, while the vocational expert testified that more than 10 percent off-task time would eliminate competitive employment.

PROCEDURAL HISTORY

Plaintiff applied for disability insurance benefits, but the claim was denied initially and on reconsideration. After a hearing, the ALJ issued an unfavorable decision, and the Appeals Council denied review. The district court

granted Plaintiff's motion for judgment on the pleadings, denied the Commissioner's motion, and remanded for further proceedings.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the decision, including adequate explanation and evidentiary support for the RFC's off-task limitation.

CASES CITED

- Talavera v. Astrue, 697 F.3d 145, 151 (2d Cir. 2012)
- Moran v. Astrue, 569 F.3d 496, 501 (2d Cir. 2009)
- Williams v. Bowen, 859 F.2d 255, 258 (2d Cir. 1988)
- McIntyre v. Colvin, 758 F.3d 146, 149 (2d Cir. 2014)
- Yancey v. Apfel, 145 F.3d 106, 111 (2d Cir. 1998)
- Schillo v. Kijakazi, 31 F.4th 64, 78 (2d Cir. 2022)
- Desirae D. v. Comm'r of Soc. Sec., 20-cv-00054-JGW, 2021 WL 2042576, at *3 (W.D.N.Y. May 21, 2021)
- Matta v. Astrue, 508 F. App'x 53, 56 (2d Cir. 2013)
- Rebecca B. v. Comm'r of Soc. Sec., 22-cv-00631-HKS, 2025 WL 90625, at *4 (W.D.N.Y. Jan. 14, 2025)
- Estrella v. Berryhill, 925 F.3d 90, 95 (2d Cir. 2019)
- Danielle L. v. Comm'r of Soc. Sec., No. 1:23-cv-809-EAW, 2025 WL 879974, at *3 (W.D.N.Y. Mar. 21, 2025)
- Tiffany L. v. Comm'r of Soc. Sec., No. 1:20-cv-0677 (WBC), 2021 WL 3145694, at *4 (W.D.N.Y. July 26, 2021)
- Barry J. v. Comm'r of Soc. Sec., 725 F. Supp. 3d 312, 323 (W.D.N.Y. 2024)
- Martia P. v. Comm'r of Soc. Sec., 1:20-cv-560-DB, 2021 WL 2349397, at *4 (W.D.N.Y. June 9, 2021)
- Jordan v. Berryhill, 2018 WL 5993366, at *3 (W.D.N.Y. Nov. 15, 2018)
- Matthew P. v. Comm'r of Soc. Sec., 20-cv-1047, 2021 WL 2946411, at *2 (W.D.N.Y. July 14, 2021)
- Jacqueline R. v. Comm'r of Soc. Sec., No. 1:21-cv-97-EAW, 2023 WL 4360557, at *5 (W.D.N.Y. July 6, 2023)
- Jennifer O. v. Comm'r of Soc. Sec., No. 1:20-cv-1474 (WBC), 2022 WL 2718510, at *5 (W.D.N.Y. July 13, 2022)
- Berry v. Schweiker, 675 F.2d 464, 468 (2d Cir. 1982)
- Genier v. Astrue, 606 F.3d 46, 49 (2d Cir. 2010)