

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Melissa E. v. Frank Bisignano, Commissioner of Social Security Administration

Melissa E. · No. No. 24-cv-4438 (DLM) · Decided March 9, 2026

SUMMARY

The United States District Court for the District of Minnesota reviews the Commissioner of Social Security’s denial of Melissa E.’s application for Supplemental Security Income. The court finds that the ALJ properly evaluated Plaintiff’s subjective complaints but that the residual functional capacity did not clearly impose an aggregate limitation on standing and walking supported by the record. The court remands the matter under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Douglas L. Micko
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	March 9, 2026
DOCKET	No. 24-cv-4438 (DLM)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying her application for Supplemental Security Income. The parties moved for judgment on the administrative record.
STANDARD OF REVIEW	The court reviews whether the ALJ's decision is supported by substantial evidence in the record as a whole and whether it was infected by legal error. Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential
PARTIES	Melissa E. v. Frank Bisignano, Commissioner of Social Security Administration

TOPICS

judicial review of agency action

administrative law

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PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ properly evaluated Plaintiff's subjective complaints of pain and other symptoms under the applicable regulatory and Polaski-factor framework.
2. Whether substantial evidence supported the RFC where it separately limited standing and walking but did not clearly impose the aggregate standing-and-walking limitation supported by the medical-expert testimony.
3. Whether the ALJ was required to identify and resolve the apparent conflict between the vocational expert's testimony and the Dictionary of Occupational Titles regarding the standing-and-walking requirements of the representative occupations.
4. Whether the RFC and unresolved vocational conflict constituted harmful error requiring remand.

HOLDINGS

1. The ALJ did not err in evaluating and discounting Plaintiff's subjective complaints because the ALJ considered the record as a whole, including medication benefits, treatment history, physical-therapy participation, medical observations, and daily activities, and provided good reasons supported by substantial evidence.
2. The RFC was not supported by substantial evidence because it did not clearly reflect the record-supported limitation on Plaintiff's combined standing and walking, and instead could be read to permit standing and walking throughout the entire workday subject only to separate continuous-duration limits.
3. An ALJ may not rely on vocational-expert testimony that appears to conflict with a Dictionary of Occupational Titles listing without identifying and resolving the conflict; unresolved testimony is not substantial evidence supporting denial of benefits.

KEY QUOTATIONS

"Here, the ALJ did not resolve the conflict between the vocational expert's opinion that all three representative jobs were available to a person who could only walk or stand half of a workday and the DOT's absence of such a limitation." (Analysis § II)

"As such, it is unclear from the record whether the DOT jobs identified by the vocational expert would remain available to Plaintiff if the RFC was properly limited consistent with record evidence." (Analysis § II)

FACTUAL BACKGROUND

Melissa E. applied for Supplemental Security Income, alleging disability beginning April 12, 2021, based on numerous physical and mental impairments, including lumbar degenerative disc disease and stenosis, asthma, chronic obstructive pulmonary disease, diabetes, migraines, neck-spine conditions, chronic pain, bipolar

disorder, anxiety, and post-traumatic stress disorder. A medical expert opined that she could walk no more than four hours and stand no more than six hours in an eight-hour workday, with a combined standing-and-walking limit of six hours. The ALJ assessed an RFC for light work with separate limits on standing and walking but did not clearly impose the combined limit, and relied on vocational-expert testimony identifying three light occupations. The vocational expert also testified that the occupations remained available for a person who could stand or walk for only four total hours per workday, but the ALJ did not address the apparent conflict between that testimony and the DOT descriptions.

PROCEDURAL HISTORY

Plaintiff applied for SSI, and the Social Security Administration denied her claim initially and on reconsideration. An ALJ held a hearing on October 4, 2023, and issued an unfavorable decision on November 16, 2023. The district court affirmed the ALJ's subjective-symptom analysis but reversed the decision in part because the residual functional capacity did not clearly impose an aggregate standing-and-walking limitation and the ALJ failed to resolve the resulting conflict between the vocational expert's testimony and the Dictionary of Occupational Titles. The court remanded under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case is remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the Order, including clarification of the aggregate standing-and-walking limitation in the RFC and resolution of any conflict between vocational-expert testimony and the DOT.

CASES CITED

- Martise v. Astrue, 641 F.3d 909, 923 (8th Cir. 2011)
- Leckenby v. Astrue, 487 F.3d 626, 631 n.5 (8th Cir. 2007)
- Austin v. Kijakazi, 52 F.4th 723, 728 (8th Cir. 2022)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Nash v. Commissioner, Social Security Administration, 907 F.3d 1086, 1089-90 (8th Cir. 2018)
- Grindley v. Kijakazi, 9 F.4th 622, 627 (8th Cir. 2021)
- Julin v. Colvin, 826 F.3d 1082, 1086 (8th Cir. 2016)
- Polaski v. Heckler, 739 F.2d 1320, 1322 (8th Cir. 1984)
- Strongson v. Barnhart, 361 F.3d 1066, 1072 (8th Cir. 2004)
- Buckner v. Astrue, 646 F.3d 549, 558 (8th Cir. 2011)
- Hensley v. Colvin, 829 F.3d 926, 934 (8th Cir. 2016)
- Lane v. O'Malley, No. 23-1432, 2024 WL 302395, at *1 (8th Cir. Jan. 26, 2024) (per curiam)
- Chismarich v. Berryhill, 888 F.3d 978, 980 (8th Cir. 2018) (per curiam)

- Rachel H. v. Kijakazi, No. 22-cv-1634 (JRT/DLM), 2023 WL 4374165, at *5 (D. Minn. June 12, 2023)
- Tasha W. v. Berryhill, No. 17-cv-4933 (KMM), 2019 WL 1170666, at *3 (D. Minn. Mar. 13, 2019)
- Schwandt v. Berryhill, 926 F.3d 1004, 1012 (8th Cir. 2019)
- Ross v. O'Malley, 92 F.4th 775, 780 (8th Cir. 2024)
- Byers v. Astrue, 687 F.3d 913, 917 (8th Cir. 2012)
- Stanton v. Commissioner, Social Security Administration, 899 F.3d 555, 558 (8th Cir. 2018)

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