

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Johnny D. v. Frank Bisignano, Commissioner of Social Security

Johnny D. · No. 1:21-CV-03090-LRS · Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Washington reviews the denial of Johnny D.’s application for supplemental security income. The court rejects challenges to the administrative law judge’s evaluation of symptom testimony, medical opinion evidence, and substantial gainful activity, concluding that the decision is supported by substantial evidence and free of reversible legal error. The court denies the plaintiff’s brief, grants the Commissioner’s brief, and affirms the Commissioner’s decision.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	Per curiam; Lonny R. Suko
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	March 30, 2026
DOCKET	1:21-CV-03090-LRS
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. After three prior unfavorable administrative decisions and three district-court remands, the Court reviewed the ALJ's fourth unfavorable decision on the administrative record and the parties' briefs.
STANDARD OF REVIEW	Under 42 U.S.C. § 405(g), the court may disturb the Commissioner's decision only if it is unsupported by substantial evidence or based on legal error. The court must consider the record as a whole, may not substitute its judgment for the Commissioner's, and must uphold an ALJ's findings when the evidence is susceptible to more than one rational interpretation. Harmless error does not warrant reversal.
PRECEDENTIAL VALUE	unpublished_or_nonprecedential

PARTIES

Johnny D. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

agency adjudication

administrative law

PRACTICE AREAS

Social Security disability

administrative law

judicial review of agency action

QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient reasons for evaluating and discounting Plaintiff's subjective symptom testimony.
2. Whether the ALJ properly evaluated the medical opinion evidence.
3. Whether the ALJ committed harmful error in evaluating Plaintiff's substantial gainful activity at step one of the sequential disability analysis.

HOLDINGS

1. The ALJ's evaluation of Plaintiff's subjective symptom testimony was supported by substantial evidence and sufficiently grounded in specific, clear, and convincing reasons, notwithstanding certain erroneous or inadequately supported reasons that were harmless.
2. The ALJ gave legally sufficient, specific, and legitimate reasons supported by substantial evidence for discounting the challenged medical opinions and assessing the residual functional capacity.
3. Any error by the ALJ in determining whether Plaintiff engaged in substantial gainful activity at step one was harmless because the ALJ continued through the sequential evaluation and reached a nondisability determination on the merits.

KEY QUOTATIONS

"the Commissioner's decision will be disturbed "only if it is not supported by substantial evidence or is based on legal error."" (at 4)

"If the evidence in the record "is susceptible to more than one rational interpretation, [the court] must uphold the ALJ's findings if they are supported by inferences reasonably drawn from the record."" (at 4)

"Second, "[i]f the claimant meets the first test and there is no evidence of malingering, the ALJ can only reject the claimant's testimony about the severity of the symptoms if [the ALJ] gives 'specific, clear and convincing reasons' for the rejection."" (at 12)

"Judgment shall be entered for Defendant and the file shall be CLOSED." (at 33)

FACTUAL BACKGROUND

Plaintiff alleged disability from spinal, shoulder, carpal-tunnel, and mental-health impairments, including pain, numbness, anxiety, depression, and difficulty interacting with others. The record showed cervical surgery in 2015, carpal-tunnel surgeries in 2018, intermittent treatment, generally normal or mildly abnormal examination findings, and periods of employment, including full-time work preparing and painting aircraft beginning in 2021. The ALJ found severe physical and mental impairments but determined that Plaintiff retained the residual functional capacity for light work with reaching, postural, environmental, and mental limitations.

PROCEDURAL HISTORY

Plaintiff applied for SSI in 2012, alleging disability beginning October 1, 2010. The ALJ issued unfavorable decisions in 2013, 2018, 2021, and 2023; the first decision was reversed and remanded by Judge Fred Van Sickle in 2016, and the next two matters were remanded by stipulation in 2019 and 2021. After a fourth hearing, the ALJ again denied benefits, finding that Plaintiff could perform jobs existing in significant numbers in the national economy. The district court denied Plaintiff's brief, granted the Commissioner's brief, affirmed the Commissioner's decision, entered judgment for Defendant, and closed the case.

DISPOSITION

affirmed

CASES CITED

- Hill v. Astrue, 698 F.3d 1153 (9th Cir. 2012)
- Edlund v. Massanari, 253 F.3d 1152 (9th Cir. 2001)
- Molina v. Astrue, 674 F.3d 1104 (9th Cir. 2012)
- Shinseki v. Sanders, 556 U.S. 396 (2009)
- Tackett v. Apfel, 180 F.3d 1094 (9th Cir. 1999)
- Beltran v. Astrue, 700 F.3d 386 (9th Cir. 2012)
- Rollins v. Massanari, 261 F.3d 853 (9th Cir. 2001)
- Burch v. Barnhart, 400 F.3d 676 (9th Cir. 2005)
- Carmickle v. Commissioner of Social Security Administration, 533 F.3d 1155 (9th Cir. 2008)
- Morgan v. Commissioner of Social Security Administration, 169 F.3d 595 (9th Cir. 1999)
- Allen v. Heckler, 749 F.2d 577 (9th Cir. 1984)
- Magallanes v. Bowen, 881 F.2d 747 (9th Cir. 1989)
- Ford v. Saul, 950 F.3d 1141 (9th Cir. 2020)
- Tonapetyan v. Halter, 242 F.3d 1144 (9th Cir. 2001)
- Dattilo v. Berryhill, 773 F. App'x 878 (9th Cir. 2019)
- Hasso v. Colvin, 617 F. App'x 780 (9th Cir. 2015)
- Holohan v. Massanari, 246 F.3d 1195 (9th Cir. 2001)
- Bayliss v. Barnhart, 427 F.3d 1211 (9th Cir. 2005)
- Bray v. Commissioner of Social Security Administration, 554 F.3d 1219 (9th Cir. 2009)

- Lester v. Chater, 81 F.3d 821 (9th Cir. 1995)
- Batson v. Commissioner, Social Security Administration, 359 F.3d 1190 (9th Cir. 2004)
- Buck v. Berryhill, 869 F.3d 1040 (9th Cir. 2017)
- Tommasetti v. Astrue, 533 F.3d 1035 (9th Cir. 2008)
- Toni D. v. Saul, No. 3:19-cv-820-SI, 2020 WL 1923161 (D. Or. Apr. 21, 2020)
- Mitchell v. Saul, No. 2:18-cv-01501-GMN-WGC, 2020 WL 1017907 (D. Nev. Feb. 13, 2020)
- Richard F. v. Commissioner of Social Security, No. C19-5220 JCC, 2019 WL 6713375 (W.D. Wash. Dec. 10, 2019)
- Hernandez v. Commissioner of Social Security Administration, No. 1:22-cv-00188-CDB, 2024 WL 3470855 (E.D. Cal. July 18, 2024)
- Bartlett v. Colvin, No. 1:14-cv-00142-SB, 2015 WL 2412457 (D. Or. May 21, 2015)

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