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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

NAOMI MALEY, on behalf of CKLS, a minor child, and CHANCE KUNO LEE STEWART, Plaintiffs - Appellants, v. FRANK BISIGNANO, Commissioner of Social Security, Appellee.	No. 25-4138 D.C. No. 3:24-cv-01351-JR MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Jolie A. Russo, Magistrate Judge, Presiding

Submitted October 27, 2026**
Seattle, Washington

Before: M. SMITH, CHRISTEN, and MILLER, Circuit Judges.

Chance Kuno Lee Stewart and his former guardian, Naomi Maley, appeal from the district court's decision affirming the Commissioner of Social Security's

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

denial of Stewart's application for Supplemental Security Income child disability benefits. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

We review the district court's decision de novo and will overturn the agency's denial of benefits only if it is "not supported by substantial evidence" or is based on "legal error." *Obrien v. Bisignano*, 142 F.4th 687, 692–93 (9th Cir. 2025) (quoting *Tommasetti v. Astrue*, 533 F.3d 1035, 1038 (9th Cir. 2008)); *see* 42 U.S.C. § 405(g). Substantial evidence is "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *Biestek v. Berryhill*, 587 U.S. 97, 103 (2019) (quoting *Consolidated Edison Co. v. NLRB*, 305 U.S. 197, 229 (1938)). "If the evidence is susceptible to more than one rational interpretation, it is the [agency's] conclusion that must be upheld." *Stiffler v. O'Malley*, 102 F.4th 1102, 1106 (9th Cir. 2024) (quoting *Ford v. Saul*, 950 F.3d 1141, 1154 (9th Cir. 2020)).

1. The administrative law judge (ALJ) did not err in assessing the medical opinion evidence. The ALJ reasonably considered the examination results discussed in Dr. Weiss's report. *See* 20 C.F.R. § 416.924a(a)(1). Although the report erroneously refers to a teacher's report about a different child, Dr. Weiss's review of that report did not affect Stewart's childhood mental status examination results, which were based on Dr. Weiss's evaluation of Stewart's performance answering a sequence of questions. As for Dr. Fitterrer's report, the ALJ found that

the report was "generally persuasive" based on its consistency with Stewart's reported activities, academic performance, mental status exams, and psychological test results. The ALJ ultimately found that Stewart had *more* severe limitations in some areas than Dr. Fitterer suggested. Last, the ALJ provided specific and legitimate reasons why Dr. Anderson's opinion was not persuasive. Dr. Anderson's equivocal testimony suggested that his only basis for finding "moderate to marked" limitations was teacher questionnaires, whereas the "balance of the evidence" in the record showed only moderate limitations.

2. The ALJ did not err in discounting the teachers' opinions. An ALJ may discount lay witness opinion evidence by providing "reasons germane to each witness for doing so." *Molina v. Astrue*, 674 F.3d 1104, 1111 (9th Cir. 2012) (internal quotation marks and citation omitted). The ALJ reasonably concluded that, although the teachers' assessments of marked limitations in the domain of attending and completing tasks were well-supported, the assessment of marked limitations in other domains was contradicted by other record evidence, including medical evidence, evidence of successful social interactions, and testimony at the hearing. *See Bayliss v. Barnhart*, 427 F.3d 1211, 1218 (9th Cir. 2005) (explaining that "[i]nconsistency with medical evidence" is a germane reason for discrediting lay witness opinions).

3. The ALJ did not err in his assessment of Stewart's symptom testimony. The ALJ recounted that Stewart testified that he "usually sat next to the teacher in class," that the teacher "often had to spend extra time to get him to understand," and that he "sometimes had problems getting along with teachers and classmates." Although it appears that the ALJ did not discount Stewart's symptom testimony and instead found that it supported a lesser limitation, to the extent his testimony could be understood to support marked limitations in related domains, the ALJ could reasonably have concluded that it was inconsistent with the medical evidence. *See Smartt v. Kijakazi*, 53 F.4th 489, 498 (9th Cir. 2022). The ALJ also permissibly gave little weight to similar testimony from Stewart's guardians. *See Valentine v. Commissioner*, 574 F.3d 685, 694 (9th Cir. 2009) (concluding that valid reasons to reject a claimant's symptom testimony were also "germane" reasons for rejecting lay witness testimony on the same symptoms).

4. Substantial evidence supports the ALJ's determination that Stewart's impairments did not meet or medically equal a listing because he had no more than moderate limitations in three of the four paragraph B criteria, *see* 20 C.F.R. pt. 404, subpt. P, app. 1, § 112.00(A)(2)(b), (E), and did not functionally equal a listing because his limitations were less than marked in the corresponding functional domains of acquiring and using information, interacting and relating with others, and the ability to care for oneself, *see* 20 C.F.R. § 416.926a(a).

The ALJ's finding that Stewart had only moderate limitations in his ability to understand and remember information and to interact with others is supported by Stewart's test scores, school records, and the hearing testimony of Stewart and his aunt. Test scores, treatment records, and the hearing testimony also support the ALJ's finding of a moderate limitation in Stewart's ability to adapt and manage himself. The ALJ balanced the family's testimony against Stewart's mental status examinations to find that Stewart had a marked limitation in his ability to concentrate, persist, and maintain pace, and correctly concluded that Stewart's combination of paragraph B limitations did not medically equal the listings.

The ALJ's finding that Stewart had less-than-marked limitations in acquiring and using information is supported by the opinion of Dr. Fitterer; psychological testing results; Stewart's placement, with accommodations, in regular curriculum classes; a recent report card with no failing grades; and the substance of the teacher questionnaires. Although Stewart points out that the teacher questionnaires assessed his limitations in this domain as marked, the ALJ observed that the questionnaires attributed Stewart's struggles in school to a "lack of organization" and "difficulty focusing," and determined that these accounts, along with Stewart's academic record and testimony at the hearing, did not support a marked limitation in the domain of acquiring and using information. *See* 20 C.F.R. § 416.926a(g)(3).

The ALJ's finding that Stewart had less than marked limitations in the areas of interacting with others and managing himself is supported by Dr. Fitterer's finding that Stewart had no limitations in these areas, and by Stewart's testimony that while he "sometimes" has difficulty getting along with others at school, he has no problems with his sports teammates and coaches, and he plays golf and goes fishing with his friend.

AFFIRMED.