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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MIGUEL A. CADENA,)	Case No.: ED CV 13-2066-PJW
)	
Plaintiff,)	
)	
v.)	MEMORANDUM OPINION AND ORDER
)	
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

I. INTRODUCTION

Plaintiff appeals a decision by Defendant Social Security Administration ("the Agency"), denying his application for Disability Insurance Benefits ("DIB"). He claims that the Administrative Law Judge ("ALJ") erred when he determined that Plaintiff could perform the work of an assembler despite the fact that he was blind in one eye. For the reasons discussed below, the Court concludes that the ALJ did not err.

1 7.) Plaintiff, however, does not cite any authority for this
2 proposition. Nor is there any support for it in the record.
3 And, given the chance at the hearing to explore this claim,
4 Plaintiff's counsel elected not to. (AR 51.)

5 The Agency cites authority for the opposite proposition,
6 i.e., that vision in both eyes is not required for depth
7 perception. See *Alsup v. Astrue*, 2012 WL 3817795, at *8 (D. Or.
8 Sept. 4, 2012.). In *Alsup*, the ALJ determined that, despite the
9 fact that the claimant had "no useful vision in the right eye,"
10 he could still work as a small products assembler, the same job
11 the ALJ determined Plaintiff could perform here. *Id.* at *3.
12 The claimant appealed, arguing that his lack of vision in one
13 eye prevented him from performing the job of assembler because
14 that job required depth perception and he had none due to the
15 loss of vision in one eye. *Id.* at *7-8. The district court
16 rejected this argument. *Id.* at *8. It concluded that "depth
17 perception was not synonymous with binocular vision" and cited
18 authority in the medical literature to support that proposition.
19 *Id.*

20 The same result must obtain here. Plaintiff has not
21 provided the Court with any support for his argument that depth
22 perception requires vision in both eyes. And there is no
23 support for that proposition in the record. Plaintiff never
24 testified to that fact and the doctors never endorsed it. Nor
25 is there any outside authority before the Court that depth
26 perception is dependent on vision in both eyes. In fact, as
27 discussed, the only authority the Court has reviewed stands for
28

1 the opposite proposition. For that reason, the ALJ's decision
2 is affirmed and the action is dismissed with prejudice.¹

3 IT IS SO ORDERED.

4 DATED: January 7, 2015

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7 PATRICK J. WALSH
8 UNITED STATES MAGISTRATE JUDGE
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22 _____
23 ¹ Plaintiff contends that the ALJ erred when he failed to
24 "describe and quantify" Plaintiff's limitations with respect to
25 his lack of vision in his right eye. (Joint Stip. at 13-14.)
26 Again, the Court disagrees. The ALJ told the vocational expert
27 that Plaintiff had "no vision in the right eye." (AR 49.)
28 Cleary, the vocational expert understood what that meant and how
it might impact Plaintiff's ability to work. To the extent that
Plaintiff believes that the ALJ should have also stated that
lack of vision prevented Plaintiff from perceiving depth, as
discussed above, there is no support for that proposition in the
record.