

1 findings and recommendations are supported by the record and proper analysis.

2 In his objections, Plaintiff objects to the Magistrate Judge’s finding that the Administrative
3 Law Judge (“ALJ”) properly evaluated the opinions from Dr. Quinlan and Dr. Arnold. (ECF No.
4 23 at 1-4.) Plaintiff argues that the ALJ improperly rejected the opinions of qualified medical
5 professionals in favor of her own interpretation of the clinical findings and failed to explain why
6 her interpretation of the evidence was correct. (*Id.* at 3.) As the Magistrate Judge explained, the
7 residual functional capacity (“RFC”) is not a medical opinion, but a legal decision that is expressly
8 reserved for the Commissioner. (ECF No. 22 at 11) (citing 20 C.F.R. §§ 404.1527(d)(2);
9 404.1546(c)). Consequently, “[t]he ALJ’s RFC determination need not precisely reflect any
10 particular medical provider’s assessment.” *Althoff-Gromer v. Comm’r of Soc. Sec.*, No. 2:18-cv-
11 00082- KJN, 2019 WL 1316710, at *13 (E.D. Cal. Mar. 22, 2019). Also, this Court must defer to
12 the decision of the ALJ where evidence exists to support more than one rational interpretation.
13 (ECF No. 22 at 14) (citing *Drouin v. Sullivan*, 966 F.2d 1255, 1258 (9th Cir. 1992).

14 Additionally, Plaintiff alleges that the ALJ failed to offer any reason for rejecting Plaintiff’s
15 subjective complaints and the ALJ’s decision is not supported by substantial evidence. (ECF No.
16 23 at 5-7.) However, since the ALJ did not find evidence of malingering; she was required to
17 provide specific, clear, and convincing reasons for rejecting Plaintiff’s testimony and she complied
18 with this requirement. (ECF No. 22.) First, the ALJ identified specific inconsistencies with
19 Plaintiff’s testimony regarding his symptoms and purported limitations and objective medical
20 evidence which contradicts each identified allegation. (*Id.* at 19.) Contradiction between the
21 claimant’s testimony and the relevant medical evidence is a sufficient basis for an adverse
22 credibility finding. *Johnson v. Shalala*, 60 F.3d 1428, 1434 (9th Cir. 1995). Also, the Magistrate
23 Judge found that the multiple medical notes from the record constitute substantial evidence which
24 support the ALJ’s adverse credibility determination. (*Id.*) “This alone is sufficient reason to uphold
25 the AJL’s discounting of Plaintiff’s symptom testimony. (*Id.*)

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Accordingly,

1. The findings and recommendations issued on February 23, 2023, (ECF No. 22), are ADOPTED in full;
2. Plaintiff's motion for summary judgment, (ECF No. 14), is DENIED; and
3. The Clerk of the Court is directed to enter judgment in favor of defendant Commissioner of Social Security and against Plaintiff Michael B. Lewis and CLOSE this case.

IT IS SO ORDERED.

Dated: June 1, 2023



UNITED STATES DISTRICT JUDGE