NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted March 28, 2024*
Decided April 2, 2024

Before

DIANE S. SYKES, *Chief Judge*

DAVID F. HAMILTON, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

No. 23-2599

ANGELA MOYER,
Plaintiff-Appellant,

v.

MARTIN J. O'MALLEY,
Commissioner of Social Security,
Defendant-Appellee.

Appeal from the
United States District Court for the
Eastern District of Wisconsin.

No. 22-C-1202

Lynn Adelman,
Judge.

O R D E R

Angela Moyer suffers from severe post-traumatic stress disorder, depression, and anxiety after experiencing extreme abuse at the hands of her parents and, later, the man she married and has since divorced. Based on these conditions and multiple physical impairments, she twice applied for disability benefits from the Social Security

* We granted the appellant's unopposed motion to waive oral argument, *see* CIR. R. 34(2), because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. *See* FED. R. APP. P. 34(a)(2)(C).

Administration, which denied both claims. Moyer appeals, and although we sympathize with her horrific past, she does not establish that the administrative law judge's ("ALJ") decision lacked the support of substantial evidence. We therefore affirm.

On appeal Moyer challenges the ALJ's decision only as it relates to her mental disabilities, so we limit our discussion of the facts accordingly. As a child, Moyer was physically abused by her parents, and as an adult, she was physically and sexually abused by her husband. After she left her husband, he stalked her and threatened her and their two children (whom he also abused). As a result of this abuse, Moyer has severe post-traumatic stress disorder ("PTSD"), which causes her to experience panic attacks, flashbacks, and nightmares. She also struggles with depression and generalized anxiety.

Moyer's symptoms are worse when she leaves the house. She freezes if she sees someone resembling her ex-husband and experiences visual and auditory hallucinations of him, including while she works. Moyer also gets severe anxiety and panic attacks if she is in a crowd of people and has said that even five other people are too many for her to be around. Because of these symptoms, Moyer avoids leaving her house unless she must for appointments or to go grocery shopping. In 2017 a doctor considered whether she suffered from agoraphobia, an extreme fear of places (often public) that may cause panic, but concluded that she did not meet all requirements for that diagnosis. By 2020 Moyer's symptoms had worsened, and she did not drive or leave the house without medication, which she reported helped at times. Around this time she was diagnosed with social anxiety disorder.

In 2017 and again in 2019, Moyer applied for both disability benefits and supplemental security income, stating that her disability began in 2017. The applications were consolidated before her hearing in 2021. In connection with Moyer's claims for benefits, four different state-agency mental-health practitioners reviewed Moyer's treatment records. The psychologist who first reviewed her records in 2018 determined that she was moderately limited in remembering and carrying out detailed instructions; maintaining attention and concentration for extended periods; completing work without interruptions to concentration, persistence, and pace; and adapting to changes in the workplace. To accommodate these limitations, he recommended limiting Moyer to unskilled work. Upon review a second psychologist agreed with these assessments.

The psychologist who reviewed her records in 2019, however, noted her increased difficulties around others. This psychologist determined that Moyer was

moderately limited in her ability to maintain a regular schedule; work close to others; complete a normal workday without interruptions to concentration, persistence, and pace; interact with the public; ask questions; and respond to changes in the workplace. And this psychologist gave more specific limitations: namely, that Moyer should interact only occasionally with the public, supervisors, and coworkers; that she should be limited to simple, routine work; and that she would be expected to be off task up to 10% of the workday. On reconsideration a psychiatrist affirmed these findings and added that Moyer could tolerate only occasional changes to her workplace, that she should be limited to simple tasks without tight quotas and timelines, and that she could only have brief and superficial social contact and interactions.

After Moyer's applications were denied, she requested a hearing before an ALJ. At the hearing she testified only briefly. She said that she struggled with being in crowds and that she drove only to go to the store. She said she had to leave a previous job at a casino because she kept seeing hallucinations of her ex-husband and would have to leave the room. She also testified that she had panic attacks at least once or twice per month and that she struggled to focus on one thing.

The ALJ questioned a vocational expert and asked the expert to make the following relevant assumptions about a hypothetical claimant: "Assume limitations to simple tasks with no more than occasional workplace changes. There should be no assembly line work. The work should not require interaction with the public." In a second hypothetical question, the ALJ asked the expert also to assume that the claimant needed "no more than brief and superficial social contact required to do the work." The expert testified that although someone with these restrictions could not do Moyer's previous work, jobs for such a claimant existed in significant numbers nationally. The expert also later testified that any of these jobs would tolerate an employee being off task no more than 10% of the time.

The ALJ concluded that Moyer was not disabled. As part of the familiar five-step process, the ALJ created a residual functional capacity for Moyer, which stated that Moyer was limited to work with "simple tasks; no more than occasional workplace changes; no assembly line work; work that does not require more than brief and superficial social contact; and work that does not require interaction with the public." The ALJ relied on the four state-agency doctors' reports, as well as various mental-status examinations in Moyer's record that showed that she typically had a normal or flat affect and tolerated all her interactions with medical and mental-health providers of all sexes. The ALJ determined that Moyer was not disabled because she could do other

jobs, which were identified by the vocational expert, with her limitations. The Appeals Council denied review, and the district judge upheld the denial of benefits.

Moyer now appeals. We will reverse the ALJ's decision only if it is unsupported by substantial evidence or if it is the result of an error of law. *Martin v. Kijakazi*, 88 F.4th 726, 729 (7th Cir. 2023). Under this deferential standard, "[w]e will not reweigh the evidence, resolve debatable evidentiary conflicts, determine credibility, or substitute our judgment for the ALJ's determination." *Gedatus v. Saul*, 994 F.3d 893, 900 (7th Cir. 2021).

Moyer raises two primary arguments on appeal: first, that the ALJ completely ignored lines of evidence about the trauma leading to Moyer's PTSD and about the extent of her social limitations; and second, that the residual functional capacity did not account for Moyer's moderate limitation in concentration, persistence, and pace. The Commissioner responded at length to these contentions, though framing them differently. As a result, in her reply brief, Moyer contends that the government created two "new" issues in its response brief and therefore waived any response to the issues as she framed them. We disagree. The Commissioner had no obligation to parrot Moyer's issue statements. The response brief engages with Moyer's arguments and defends the ALJ's decision; it waives nothing. Moreover, the burden is on the claimant to demonstrate entitlement to benefits, 42 U.S.C. § 423(d)(5)(A), so Moyer's attention would have been better focused on affirmative evidence of her disability.

We begin with Moyer's contention that the ALJ ignored entire lines of evidence showing that she is disabled and conclude that the ALJ addressed everything she needed to. Moyer says that the ALJ ignored the cause of her PTSD, including the abuse from her parents and her ex-husband, but the ALJ did not need to discuss every detail from her medical history. *See Gedatus*, 994 F.3d at 901. Further, the cause of a disability "drops out of the picture" once its relevance has been determined. *Gentle v. Barnhart*, 430 F.3d 865, 868 (7th Cir. 2005). Moyer acknowledges that the ALJ discussed and credited her diagnoses of PTSD and anxiety yet insists that the ALJ's failure to mention the origin of her disorders means that the ALJ did not adequately explain her conclusions. But Moyer does not explain why specifically discussing the history of abuse would have compelled a different decision when the impairments caused by the abuse were part of the ALJ's reasoned decision.

The ALJ also did not "ignore" evidence of "extreme" social limitations. Moyer asserts that she has an "almost complete inability to function socially" and "no ability to interact socially with men" because of the abuse she suffered. She embraces *Mandrell v.*

Kijakazi, 25 F.4th 514, 518–19 (7th Cir. 2022), in which we reversed the finding that a rape victim was not disabled because the ALJ did not address several of the claimant's limitations, including that she struggled to be around men. We note that we decided *Mandrell* before Moyer filed her opening brief in the district court, yet she mentions it on appeal for the first time. And, unlike in *Mandrell*, Moyer did not provide any evidence—either from medical records or her own testimony—of any male-specific fears or "extreme" social limitations. Further, the ALJ addressed the social difficulties that were supported by the record: Moyer struggled to leave the house but could do so with the help of medication; she became anxious in crowds or at the store; and two doctors in 2019 and 2020 reported that she had moderate social limitations. At bottom, Moyer had the duty to submit evidence supporting her claims, *see* 20 C.F.R. § 404.1512(a)(1), and the narrative she submits on appeal is not supported by her evidence.

Further, to the extent Moyer contends that the ALJ did not incorporate enough social limitations in the decision, her argument is unavailing. An ALJ does not err in assigning a residual functional capacity if "there is no doctor's opinion contained in the record which indicated greater limitations than those found by the ALJ." *Rice v. Barnhart*, 384 F.3d 363, 370 (7th Cir. 2004). In Moyer's case, two psychologists recommended no social limitations for Moyer; one recommended that Moyer only occasionally interact with the public, supervisors, and coworkers; and one recommended that Moyer only briefly and superficially interact with the public, supervisors, and coworkers. The ALJ adopted these limitations and then went further, determining that Moyer could have *no* interaction with the public—eliminating the possibility of her ex-husband appearing at her job—and only "brief and superficial" interactions with supervisors and coworkers. Moyer cannot point to any objective evidence in the record for stricter restrictions, nor did her subjective testimony suggest that she could not endure the minimal interaction the ALJ called for.

Moyer's second argument—that the ALJ did not account for her moderate limitations in concentration, persistence, or pace in the residual functional capacity—also does not require reversal. Although an ALJ generally must incorporate limitations suggested by doctors, *see id.*, we do not require a precise match between the ALJ's language and the restrictions articulated by medical sources. Rather, we have upheld the ALJ's restrictions when it was "manifest that the ALJ's alternative phrasing specifically excluded those tasks that someone with the claimant's limitations would be unable to perform." *Moreno v. Berryhill*, 882 F.3d 722, 730 (7th Cir. 2018) (quotation marks omitted).

Here the ALJ did not expressly adopt two recommended limitations. The first limitation would preclude work with "tight quotas or timelines." This language appears nowhere in the residual functional capacity, yet the ALJ appeared to accept that opinion anyway. The ALJ limited Moyer to no assembly-line work, and the only objective basis for this limitation is the opinion that Moyer could not work jobs with tight quotas or timelines. And on appeal Moyer does not explain how the ALJ's language was inadequate, for example, by showing that the jobs she was found to be capable of require tight quotas or deadlines but not assembly-line labor. *Cf. Hess v. O'Malley*, 92 F.4th 671, 678 (7th Cir. 2024) (holding that a residual functional capacity limiting a claimant to no "fast paced production quota[s]," such as assembly lines, accommodates moderate limitations in concentration, persistence, and pace).

The second omitted limitation was that Moyer would be expected to be off task up to 10% of the workday. The ALJ did not include this limitation, nor impose one that appears to encapsulate it. But as the Commissioner explains, the vocational expert testified that all the potential jobs for someone with Moyer's residual functional capacity would allow for an employee to be off task up to (and no more than) 10% of the time. We therefore cannot say that the exclusion of this limitation made a difference to the bottom-line disability conclusion. *See Jozefyk v. Berryhill*, 923 F.3d 492, 498 (7th Cir. 2019) (reviewing a residual functional capacity assessment for harmless error).

Moyer further contends that the ALJ did not set appropriate restrictions based on her moderate limitation in concentration, persistence, or pace because the ALJ relied in part on "mental status examinations" that are not meant to diagnose any psychological problems, let alone work restrictions, because they screen for dementia. But the regulations specifically permit an ALJ to rely on these examinations as evidence of disability. 20 C.F.R. Pt. 404, Subpt. P, App. 1 § 12.00(C)(2)(c). And the ALJ relied on evidence from these examinations that both detracted from (for example, "speech, eye contact, and behavior were appropriate") and supported (for example, "anxiety in busy stores") a finding of disability. In any event, Moyer still fails to point to any objective or material evidence for more aggressive restrictions related to concentration, persistence, or pace, so we need not dwell on the best use of mental-status examinations.

AFFIRMED