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## **United States Court of Appeals**For the First Circuit

No. 05-2420

DAVID WRIGHT,

Plaintiff, Appellant,

v.

JO ANNE B. BARNHART, COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION,

Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

[Hon. Marianne B. Bowler, <u>U.S. Magistrate Judge</u>]

Before

Torruella, Selya and Lipez, Circuit Judges.

April 11, 2006

<u>Per Curiam</u>. The notice of appeal in this case appears to have been filed one day late. The appeal is therefore untimely.

Even if the appeal were properly before us, it would fail for substantially the reasons stated by the district court. Among other problems, the administrative law judge (ALJ) reasonably could have discounted the extreme limitations mentioned in Dr. Hacker's residual functional capacity report and the appellant's testimony. They were not corroborated by the record or by the reports of other treating physicians. See 20 C.F.R. § 404.1527(d). Since the appellant failed to establish that his limitations precluded his past work, substantial evidence supported the ALJ's determination that he was not disabled. Rodriguiz Pagan v. Sec'y of Health & Human Serv., 819 F.2d 1 (1st Cir. 1987).

<u>Dismissed</u>. 1st Cir. R. 27(c).