

United States Court of Appeals
For the Eighth Circuit

No. 16-3954

Sabrina A. Wagoner

Plaintiff - Appellant

v.

Nancy A. Berryhill, Acting Commissioner of Social Security

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Ft. Smith

Submitted: July 5, 2017

Filed: July 11, 2017

[Unpublished]

Before LOKEN, ARNOLD, and MURPHY, Circuit Judges.

PER CURIAM.

Sabrina A. Wagoner appeals the district court's¹ order affirming an unfavorable decision on her applications for disability insurance benefits and supplemental security income. Upon de novo review, see Igo v. Colvin, 839 F.3d 724, 728 (8th Cir. 2016), we agree with the district court that substantial evidence on the record as a whole supports the administrative law judge's (ALJ's) weighing of the physician-opinion evidence on Ms. Wagoner's residual functional capacity (RFC), see Myers v. Colvin, 721 F.3d 521, 527 (8th Cir. 2013) (RFC determination must be based on all relevant evidence--medical records, observations of treating physicians and others, and claimant's own description of her limitations--and must be supported by some medical evidence); Johnson v. Astrue, 628 F.3d 991, 994 (8th Cir. 2011) (form consisting of series of check marks assessing RFC, which is determination for ALJ to make, amounts to conclusory opinion that may be discounted if contradicted by other objective medical evidence); Charles v. Barnhart, 375 F.3d 777, 783 (8th Cir. 2004) (generally when consulting physician examines claimant only once, opinion is not considered substantial evidence). Because the ALJ properly relied on the vocational expert's (VE's) response to the first hypothetical that the ALJ posed, which was consistent with the ALJ's RFC findings, see Gieseke v. Colvin, 770 F.3d 1186, 1189 (8th Cir. 2014), we find no merit to Ms. Wagoner's argument concerning the VE's testimony. The judgment of the district court is affirmed.

¹The Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).