

United States Court of Appeals
For the Eighth Circuit

No. 20-1828

Christopher McLees

Plaintiff - Appellant

v.

Andrew Saul, Commissioner of Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: November 6, 2020
Filed: November 12, 2020
[Unpublished]

Before ERICKSON, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

Christopher McLees appeals the district court's¹ order affirming the Commissioner's decision that he was overpaid disability insurance benefits and was not entitled to a waiver of recovery for the overpayment. We find that substantial evidence supports the administrative law judge's decision that while McLees was not at fault for the overpayment, he did not meet his burden of proving that recovery would be against equity and good conscience or defeat the purpose of Title II. See Rodysill v. Colvin, 745 F.3d 947, 949 (8th Cir. 2014) (de novo review). The judgment is affirmed; and McLees's motion to supplement the record is denied.²

¹The Honorable Abbie Crites-Leoni, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

²Because McLees's father, who was his designated representative payee, was not a party to the underlying complaint and is not a party to the instant appeal, we do not consider McLees's arguments challenging his father's liability for the overpayment. See Marino v. Ortiz, 484 U.S. 301, 304 (1988) (per curiam) (it is well settled rule that only parties to lawsuit, or those that properly become parties, may appeal adverse judgment).