

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 09-3215

Jennie D. Rhodes,

Appellant,

v.

Michael J. Astrue, Commissioner of
Social Security,

Appellee.

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

[UNPUBLISHED]

Submitted: May 6, 2010
Filed: May 12, 2010

Before MELLOY, BOWMAN, and SMITH, Circuit Judges.

PER CURIAM.

Jennie Rhodes appeals from the order of the District Court¹ affirming the Social Security Commissioner's decision—issued after a hearing before an administrative law judge (ALJ) and consistent with the ALJ's decision—denying Rhodes's May 2005 application for supplemental security income. Following careful de novo

¹The Honorable Jean C. Hamilton, United States District Court Judge for the Eastern District of Missouri, adopting the report and recommendations of the Honorable Lewis M. Blanton, United States Magistrate Judge for the Eastern District of Missouri.

review, see Halpin v. Shalala, 999 F.2d 342, 345–46 (8th Cir. 1993) (explaining that court of appeals reviews mixed questions of law and fact de novo, even where claimant failed to object to the magistrate judge's factual findings), we conclude that the Commissioner's decision is supported by substantial evidence on the record as a whole, see Tilley v. Astrue, 580 F.3d 675, 679 (8th Cir. 2009) (noting that affirmance is warranted where the ALJ's decision is supported by substantial evidence on the record as a whole).

Accordingly, we affirm.
