

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

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No. 09-3761

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Samuel Hernandez,	*
	*
Petitioner,	*
	*
v.	* Petition for Review of
	* an Order of the
	* Railroad Retirement Board.
Railroad Retirement Board,	*
	*
Respondent.	* [UNPUBLISHED]
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Submitted: June 2, 2010

Filed: June 7, 2010

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Before WOLLMAN, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

Samuel Hernandez petitions for review of the final decision of the Railroad Retirement Board (Board) adopting the decision of the hearings officer that Hernandez's February 2008 annuity adjustment was properly calculated. Hernandez has not pointed to any error in the Board's adjustment calculation, and we find none. See Worms v. R.R. Ret. Bd., 255 F.3d 502, 505 (8th Cir. 2001) (Board's decision will be upheld if it is supported by substantial evidence, is not arbitrary, and has reasonable basis in law). Hernandez's arguments concerning earlier decisions and other issues are beyond the scope of our review. See 45 U.S.C. § 355(f) (claimant may seek review of final decision of Board after exhausting all administrative remedies within Board). Accordingly, we affirm.

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