

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 12-1533

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Douglas L. Cox

*Plaintiff - Appellant*

v.

Michael J. Astrue, Social Security Commissioner

*Defendant - Appellee*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: October 3, 2012

Filed: October 9, 2012

[Unpublished]

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Before BYE, GRUENDER, and BENTON, Circuit Judges.

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PER CURIAM.

Douglas L. Cox appeals the district court's<sup>1</sup> order affirming the determination that he is not entitled to a waiver of recovery of overpaid disability insurance benefits.

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<sup>1</sup>The Honorable Dean Whipple, United States District Judge for the Western District of Missouri.

Upon de novo review, see Sipp v. Astrue, 641 F.3d 975, 981 (8th Cir. 2011), we agree with the district court that substantial evidence supports the administrative law judge's determination that Cox was not without fault in causing the overpayment. We also find no abuse of discretion in the district court's denial of Cox's motion for appointment of counsel. See Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review; there is no constitutional or statutory right to counsel in civil case). The district court is affirmed. See 8th Cir. R. 47B.

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