

United States Court of Appeals
For the Eighth Circuit

No. 13-1628

Karen Babcock

Plaintiff - Appellant

v.

Carolyn W. Colvin, Acting Commissioner, Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Harrison

Submitted: October 31, 2013

Filed: November 5, 2013

[Unpublished]

Before LOKEN, BYE, and BENTON, Circuit Judges.

PER CURIAM.

Karen Babcock appeals the district court's¹ order affirming the denial of disability insurance benefits as of February 10, 2004. Upon de novo review, see McDade v. Astrue, 720 F.3d 994, 997-98 (8th Cir. 2013), we find that the administrative law judge's (ALJ's) decision is supported by substantial evidence on the record as a whole. Specifically, we find that (1) the ALJ's credibility determination is entitled to deference, see Renstrom v. Astrue, 680 F.3d 1057, 1067 (8th Cir. 2012); (2) Babcock failed to meet her burden of showing that she was disabled under Listing 9.08A, see Carlson v. Astrue, 604 F.3d 589, 593 (8th Cir. 2010) (burden is on claimant to establish she meets all criteria for listing); (3) the opinions of treating neurologist Bruce Robbins that Babcock met the criteria for Listing 9.08A, and about her residual functional capacity (RFC), were not entitled to great weight for the reasons the ALJ cited, see McDade, 720 F.3d at 999-1000 (treating physician's opinion was properly discounted because it was unclear whether his use of term "disabled" comported with use of term under Social Security Act and regulations, and it appeared to rely largely on claimant's own subjective reports of limitations and symptoms); see also Wildman v. Astrue, 596 F.3d 959, 964 (8th Cir. 2010) (treating physician's opinion properly discounted as it consisted of checklist forms, cited no medical evidence, and provided little to no explanation); and (4) the ALJ's RFC determination was based on consideration of the relevant factors and some medical evidence, as required, see Myers v. Colvin, 721 F.3d 521, 527 (8th Cir. 2013).² The judgment of the district court is affirmed.

¹The Honorable Erin Setser, 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).

²We do not address the matters Babcock has abandoned on appeal. See Hacker v. Barnhart, 459 F.3d 934, 937 n.2 (8th Cir. 2006).