

United States Court of Appeals
For the Eighth Circuit

No. 20-2953

JoAngela Evans King

Plaintiff - Appellant

v.

Kilolo Kijakazi,¹ Acting Commissioner of Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: July 6, 2021

Filed: August 3, 2021

[Unpublished]

Before BENTON, WOLLMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

¹Kilolo Kijakazi has been appointed as Acting Commissioner of Social Security, and is substituted as appellee pursuant to Federal Rule of Appellate Procedure 43(c).

JoAngela King appeals the district court's² order affirming the denial of disability insurance benefits. After careful consideration of King's arguments for reversal, we affirm. We agree with the district court that the administrative law judge (ALJ) did not abuse his discretion in electing not to subpoena King's tax records, see Passmore v. Astrue, 533 F.3d 658, 665-66 (8th Cir. 2008) (standard of review); Yancey v. Apfel, 145 F.3d 106, 113 (2d Cir. 1998) (no abuse of discretion in denying claimant's request for subpoena, as ALJ allowed claimant fair and meaningful opportunity to present her case, and had no indication that subpoenaing witness would add anything of value to proceedings); and did not otherwise fail to adequately develop the record, see Lacroix v. Barnhart, 465 F.3d 881, 886 (8th Cir. 2006) (claimant failed to establish prejudice necessary for reversal due to failure to develop record, as she presented no evidence suggesting that inquiry would have yielded information sought). We also find no due process violation, as King had the opportunity to present arguments at multiple hearings, see Schwandt v. Berryhill, 926 F.3d 1004, 1010 (8th Cir. 2019) (due process requires that parties be afforded opportunity to present their objections); and find no merit to King's contention that the ALJ was biased against her, see Perkins v. Astrue, 648 F.3d 892, 903 (8th Cir. 2011) (claimant must show that ALJ's behavior displayed clear inability to render fair judgment).

The judgment is affirmed.

²The Honorable Brian C. Buescher, United States District Judge for the District of Nebraska.