

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ADRIANNE REED-GOSS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,

Defendant.

Case No. 4:06-cv-0016-RRB

**ORDER AFFIRMING COMMISSIONER'S
FINAL DECISION**

I. **INTRODUCTION**

Before the Court is Plaintiff Adrienne Reed-Goss ("Plaintiff") with an appeal at Docket 18; wherein, she seeks

judicial review of a final decision of the Commissioner of Social Security denying her applications for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 410-33, and Supplemental Security Income (SSI) disability benefits under Title XVI of the Social Security Act, 42 U.S.C. §§ 1381-83f,¹

and "asks the Court for judgment in her favor that reverses the final agency decision and remands this claim to the agency for

¹ Docket 26 at 1-2.

payment of benefits.”² Defendant opposes and argues the Court should affirm the Commissioner’s final decision finding Plaintiff not disabled under the Social Security Act.³ The Court agrees.

II. FACTS

Because the facts are more than substantially briefed within the applicable pleadings, they are not repeated herein except as necessary.

III. STANDARD OF REVIEW

The Court applies a deferential standard when reviewing a decision denying disability benefits. The Court’s role is restricted to determining whether or not substantial evidence supports the findings of fact and whether or not the proper legal standards were used in weighing evidence and reaching a decision.⁴ Substantial evidence is more than a scintilla of evidence, but need not rise to the level of a preponderance of evidence.⁵ Substantial evidence means such evidence as a reasonable person might find adequate to support a conclusion.⁶

² Docket 18 at 21.

³ Docket 26 at 18.

⁴ See Taylor v. Heckler, 765 F.2d 872, 875 (9th Cir. 1985).

⁵ See Young v. Sullivan, 911 F.2d 180, 183 (9th Cir. 1990).

⁶ See Magallanes v. Bowen, 881 F.2d 747, 750 (9th Cir. 1989).

IV. DISCUSSION

Having thoroughly reviewed the relevant pleadings, administrative record, and supporting documents contained therein, the Court concludes substantial evidence supports the findings of fact of the Administrative Law Judge.⁷ Moreover, the Court further concludes proper legal standards were used in both weighing the evidence and in reaching a decision.

V. CONCLUSION

As a result, the Commissioner's final decision, finding Plaintiff not disabled under the Social Security Act, is hereby **AFFIRMED**.

ENTERED this 4th day of April, 2007.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE

⁷ Had Plaintiff's physician(s) testified at the hearing that Plaintiff was "unemployable," the decision of the Court may have been different.