

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Amy Laverne Keeney,
10 Plaintiff,

11 v.

12 Commissioner of Social Security
13 Administration,
14 Defendant.

No. CV-17-01108-PHX-DLR

ORDER

15
16 Plaintiff appeals the denial of her applications for a period of disability, disability
17 insurance benefits, and Supplemental Security Income, in which she alleged that she
18 became disabled as of October 1, 2009. After following the five-step sequential
19 evaluation process outlined in 20 C.F.R. § 404.1520(a), the Administrative Law Judge
20 (“ALJ”) concluded that Plaintiff was not disabled because she retained the residual
21 functional capacity (“RFC”) to perform medium work (with some exceptions), and jobs
22 exist in significant numbers in the national economy that Plaintiff can perform in light of
23 her RFC, age, education, and work experience. (A.R. 15-25.)

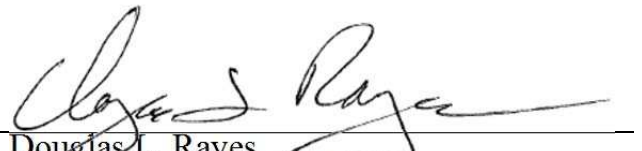
24 When considering an appeal from the denial of an application for disability
25 insurance benefits, the Court’s review is limited. The Court cannot “manufacture
26 arguments” for Plaintiff, nor can it “consider any claims that were not actually argued in
27 [Plaintiff’s] opening brief.” *Indep. Towers of Wash. v. Washington*, 350 F.3d 925, 929
28 (9th Cir. 2003). The Court “review[s] only issues which are argued specifically and

1 distinctly in a party's opening brief." *Id.* Moreover, the Court is not free to consider
2 Plaintiff's disability applications anew or to otherwise determine whether she is disabled.
3 Instead, the Court is limited to reviewing the ALJ's decision to determine whether it
4 "contains legal error or is not supported by substantial evidence." *Orn v. Astrue*, 495
5 F.3d 625, 630 (9th Cir. 2007). Substantial evidence is more than a scintilla but less than
6 a preponderance, and "such relevant evidence that a reasonable mind might accept as
7 adequate to support a conclusion." *Id.* Stated differently, if the ALJ follows the correct
8 legal standards and supports his decision with a reasonable interpretation of the evidence,
9 the Court cannot reverse his decision simply because it would weigh the evidence
10 differently.

11 After reviewing Plaintiff's opening brief (Doc. 20), the Court finds that Plaintiff
12 has raised no specific objections to the ALJ's decision. Plaintiff disagrees with the ALJ's
13 weighing of the evidence and asks the Court to find that she is "disabled enough to
14 received social security benefits." (Doc. 20 at 2.) But Plaintiff does not identify any
15 legal errors in the ALJ's decision, nor does she explain how the ALJ's decision is
16 unsupported by substantial evidence. Accordingly,

17 **IT IS ORDERED** that the Commissioner's decision is **AFFIRMED**. The Clerk
18 of the Court shall terminate this case and enter judgment.

19 Dated this 17th day of September, 2018.

20
21
22
23 
24 Douglas L. Rayes
25 United States District Judge
26
27
28