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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DANIEL R. WILLIAMS,)	Case No. CV 16-1989-PJW
)	
Plaintiff,)	
)	MEMORANDUM OPINION AND ORDER
v.)	
)	
NANCY A. BERRYHILL,)	
ACTING COMMISSIONER OF THE)	
SOCIAL SECURITY ADMINISTRATION,)	
)	
Defendant.)	

I.

INTRODUCTION

Plaintiff appeals a decision by Defendant Social Security Administration, denying his applications for Disability Insurance Benefits and Supplemental Security Income. He claims for the first time that the Administrative Law Judge erred when she relied on the vocational expert's testimony that there was a sufficient number of jobs in the economy for Plaintiff to find work because there is a conflict between the vocational expert's testimony and two publications: *The Occupational Outlook Handbook* and *County Business Patterns*. Joint Stip. at 5-9. This argument is foreclosed by *Shaibi v. Berryhill*, ___ F.3d ___, 2017 WL 3598085 (9th Cir. August 22,

1 2017), in which, just yesterday, the Ninth Circuit held that a
2 claimant who fails to raise this precise issue (including the same two
3 publications) in the administrative hearing waives that issue on
4 appeal. As such, the Agency's decision is affirmed.

5 IT IS SO ORDERED.

6 DATED: August 23, 2017.



8 PATRICK J. WALSH
9 UNITED STATES MAGISTRATE JUDGE