IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

KIMBERLY BRADLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09-0905-SSA-CV-W-FJG
	)	
MICHAEL J. ASTRUE, Commissioner, Social Security Administration,	)	
	)	
	)	
Defendant.	)	

ORDER

This suit involves an application for Supplemental Security Income (SSI) benefits based on disability under Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq. Section 1631(c)(3) provides for judicial review of a final decision of the Commissioner of the Social Security Administration under Title XVI. On April 17, 2009, following an administrative hearing, the Administrative Law Judge (ALJ) rendered a decision finding that plaintiff was not under a "disability" as defined by the Social Security Act. The Appeals Council denied plaintiff's request for review. Thus, the decision of the ALJ stands as the final decision of the Commissioner. The facts and arguments of the parties are presented in the briefs and will not be repeated here.

The Eighth Circuit has set forth the standard for the Federal Courts' judicial review of denial of benefits, as follows:

> Our role on review is to determine whether the Commissioner's findings are supported by substantial evidence on the record as a whole. Substantial evidence is less than a preponderance, but is enough that a reasonable mind would find it adequate to support the Commissioner's conclusion. In determining whether existing evidence is substantial, we consider evidence that detracts from the Commissioner's decision as well as evidence that supports it. As long as substantial evidence in the record supports the Commissioner's decision, we may not reverse it because substantial evidence exists in the record that would have supported a contrary outcome or because we would have decided the case differently.

Baker v. Barnhart, 457 F.3d 882, 892 (8th Cir. 2006).

The Court has reviewed the parties' briefs, the decision of the ALJ, the transcript of the hearing and the medical and documentary evidence. After this review, the Court finds substantial evidence in the record to support the Commissioner's decision.

Accordingly, it is hereby ORDERED that plaintiff's motion to reverse the final decision of the ALJ is denied, and the decision of the Commissioner is hereby affirmed. [1]

/s/ Fernando J. Gaitan, Jr.
FERNANDO J. GAITAN, JR.
Chief United States District Judge

Dated: 11/30/10
Kansas City, Missouri