

CASE NO. 15-_____

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

KATHLEEN MORK,

Plaintiff-Appellant,

vs.

Case No.: 14-cv-333-JDP

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Hon. James D. Peterson
United State District Judge

Defendant-Appellee

Appeal from a Judgment from
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

DOCKETING STATEMENT

Dana W. Duncan
Attorney for the Plaintiff-Appellant
Duncan Disability Law, S.C.
State Bar I.D. No. 01008917
3930 8th Street South, Suite 201
Wisconsin Rapids, WI 54494
(715) 423-4000

Plaintiff-Appellant, Kathleen Mork, by her attorney, Dana W. Duncan, **Duncan Disability Law, S.C.**, submits this docketing statement alleging the following:

1. The District Court's jurisdiction is contained in an appeal of an adverse decision of the Commissioner of Social Security under §216(i) and 223 of the Social Security Act, 42 U.S.C. §416(i) and 423(d).
2. The judgment to be reviewed is an order and judgment by the Honorable, James D. Peterson, District Judge, dated May 18, 2015 and entered on the same date, affirming the decision of the Defendant-Appellant, Carolyn W. Colvin, Acting Commissioner of Social Security, denying the plaintiff-appellant's application for a period of disability and disability insurance benefits under 42 U.S.C. §§216(i) and 223. Dkt. 21, 22.
3. This docketing statement is submitted pursuant to Circuit Rule 3(c) and Circuit Rule 28(a).
4. A Notice of Appeal was filed on or about the 25th day of June, 2015.
5. The Notice of Appeal from the order of the Honorable James D. Peterson, is an appeal from a final judgment adjudicating all of the claims with respect to all parties.
6. As procedural history:
 - A. On January 10, 2011, the claimant filed a Title II application for a period of disability and disability insurance benefits. The claim was denied initially on April 29, 2011, and upon reconsideration on September 21, 2011. Thereafter, the claimant filed a written request for hearing on November 16, 2011.
 - B. On February 28, 2013, ALJ Mattie Harvin-Woode issued an eight-page decision, denying Mork's application for Disability Insurance Benefits.

- C. The ALJ found that Mork met the insured status requirements of the Social Security Act through December 31, 2016, had not engaged in substantial gainful activity since August 17, 2010, the alleged onset date and had the following severe impairments: degenerative joint disease of the bilateral upper extremities and foot status post-osteotomy, osteoarthritis, cervical degenerative disc disease status post-fusion, Raynaud's syndrome, left hip bursitis, lumbago, and bilateral plantar fibromatosis.
- D. The ALJ found that Mork did not have an impairment or combination of impairments that met or medically equaled the severity of one of the listed impairments hi 20 CFR Part 404, Subpart P, Appendix 1.
- E. The ALJ found that Mork was “capable of performing past relevant work as a receptionist. This work does not require the performance of work-related activities precluded by the claimant's residual functional capacity.”.
- F. Following a timely request for Review of Administrative Decision, the Appeals Council denied review on March 17, 2013, making the ALJ's decision the final decision of the Commissioner.
- G. Following the submission of briefs, the Honorable James D. Peterson, United States District Judge, issued an Opinion and Order on May 18, 2015 and docketed on said date which recommended that the Commissioner's final decision in this matter be affirmed. A judgment was docketed on May 18, 2015 affirming the Commissioner's Decision.

Dated this 25th day of June, 2015.

Respectfully submitted,

Duncan Disability Law, S.C.
Attorneys for the Plaintiff-Appellant

/s/ Dana W. Duncan

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Wisconsin Rapids, WI 54494
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