

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

---

No. 05-1600

---

Jo Ann Hoffmann,

Appellant,

v.

Michael Leavitt,<sup>1</sup> Secretary of  
Health and Human Services,

Appellee.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Appeal from the United States  
District Court for the  
Western District of Arkansas.

[UNPUBLISHED]

---

Submitted: July 5, 2006  
Filed: July 10, 2006

---

Before RILEY, MAGILL, and GRUENDER, Circuit Judges.

---

PER CURIAM.

---

<sup>1</sup>Michael Leavitt has been appointed to serve as Secretary of Health and Human Services, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Jo Ann Hoffmann appeals the district court's<sup>2</sup> judgment upholding the final decision of the Secretary of Health and Human Services denying certain claims for benefits under Part B of the Medicare program. Following careful review, we agree with the district court that the Secretary's decision is supported by substantial evidence. See 42 U.S.C. § 405(g); 42 U.S.C. § 1395ff(b)(1)(A). Accordingly, we affirm. See 8th Cir. R. 47B. Hoffmann's pending motions are denied.

---

---

<sup>2</sup>The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas, adopting the report and recommendations of the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas.