

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

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No. 08-3332

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Penny Foster,	*
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Plaintiff - Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* Eastern District of Arkansas.
Michael J. Astrue,	*
	* <b>[UNPUBLISHED]</b>
Defendant - Appellee.	*

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Submitted: April 16, 2009  
Filed: September 9, 2009

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Before LOKEN, Chief Judge, HANSEN and COLLOTON, Circuit Judges.

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PER CURIAM.

Penny Foster applied for Social Security disability and supplemental security income benefits, alleging total disability primarily from low back pain and an anxiety disorder. After a hearing, an administrative law judge (ALJ) denied benefits, and the Appeals Council denied administrative review. The district court remanded for additional proceedings. After a second hearing, a second ALJ denied Foster's claims, and the Appeals Council again denied administrative review. Foster commenced this action under 42 U.S.C. § 405(g) seeking judicial review of the Commissioner's final decision denying all benefits.

The district court<sup>1</sup> affirmed the Commissioner's decision, concluding in a thorough opinion that the findings and conclusions were supported by substantial evidence in the administrative record as a whole. Foster appeals, arguing that the ALJ improperly discounted the opinions of her treating physicians and her subjective complaints of pain. After careful review of the record, we affirm for the reasons stated in the district court's Order dated September 30, 2008. See 8th Cir. R. 47B.

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<sup>1</sup>The HONORABLE JERRY W. CAVANEAU, United States Magistrate Judge for the Eastern District of Arkansas, presiding with the consent of the parties pursuant to 28 U.S.C. § 636(c).