

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

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No. 10-1554

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James Kenneth Tegeler,

Appellant,

v.

Michael J. Astrue, Commissioner,  
Social Security Administration,

Appellee.

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

[UNPUBLISHED]

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Submitted: August 6, 2010  
Filed: August 17, 2010

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Before BYE, BOWMAN, and COLLOTON, Circuit Judges.

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PER CURIAM.

James Kenneth Tegeler appeals the district court's<sup>1</sup> order affirming the denial of disability insurance benefits. Tegeler alleged disability since October 2005 from a seizure disorder. Following a hearing, an administrative law judge (ALJ) determined that (1) Tegeler's seizure disorder was a severe impairment, but did not

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<sup>1</sup>The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable J. Thomas Ray, United States Magistrate Judge for the Eastern District of Arkansas.

meet or medically equal the requirements of any relevant listing; (2) his anxiety was not a severe impairment; (3) his testimony was not entirely credible; (4) as to his residual functional capacity (RFC), he had no physical limitations and his only nonexertional limitations were typical seizure precautions; and (5) while a vocational expert (VE) testified that Tegeler's RFC precluded his past relevant work, in response to the ALJ's hypothetical the VE identified other jobs Tegeler could perform. The Appeals Council denied review, and the district court affirmed. Having carefully reviewed the record and considered Tegeler's arguments for reversal,<sup>2</sup> see Dipple v. Astrue, 601 F.3d 833, 836 (8th Cir. 2010) (standard of review), we affirm.

Specifically, we find that the ALJ's credibility determination is entitled to deference as it was based on several valid reasons, see Halverson v. Astrue, 600 F.3d 922, 932 (8th Cir. 2010); and that the ALJ properly relied on the VE's response to a hypothetical, see Stormo v. Barnhart, 377 F.3d 801, 808-09 (8th Cir. 2004). We also find that the evidence Tegeler offered for the first time on appeal did not meet the requirements for remand. See Hepp v. Astrue, 511 F.3d 798, 808 (8th Cir. 2008). Accordingly, we affirm.

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<sup>2</sup>We decline to address those arguments that are irrelevant, entirely new, or undeveloped.