

United States Court of Appeals
For the Eighth Circuit

No. 12-2032

Tracy J. Green

Plaintiff - Appellant

v.

Michael J. Astrue, Commissioner, Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Arkansas - Batesville

Submitted: November 16, 2012

Filed: December 5, 2012

[Unpublished]

Before MURPHY, ARNOLD, and SMITH, Circuit Judges.

PER CURIAM.

Tracy J. Green appeals the district court's¹ order affirming the denial of disability insurance benefits. Upon de novo review, we agree with the district court that substantial evidence in the record as a whole supports the Commissioner's decision, and that Mrs. Green's challenges to the decision do not warrant reversal. See Van Vickle v. Astrue, 539 F.3d 825, 828 & n.2 (8th Cir. 2008) (substantial evidence is relevant evidence that reasonable mind would find adequate to support Commissioner's decision, which will not be reversed merely because some evidence may support opposite conclusion). Among other things, we disagree with Mrs. Green's contention that she is disabled under Listing 12.05C. See Carlson v. Astrue, 604 F.3d 589, 593 (8th Cir. 2010) (burden is on claimant to establish impairment meets all listing criteria). We also find that the mental residual functional capacity (RFC) determination, and thus the hypothetical to the vocational expert (VE), adequately accounted for Mrs. Green's mental limitations. See Jones v. Astrue, 619 F.3d 963, 971 (8th Cir. 2010) (RFC determination must be supported by some medical evidence); see also Buckner v. Astrue, 646 F.3d 549, 560-61 (8th Cir. 2011) (hypothetical to VE must capture concrete consequences of claimant's impairments). The district court is affirmed.

¹The Honorable Joe J. Volpe, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).