

United States Court of Appeals
For the Eighth Circuit

No. 16-4040

John E. Peet

Plaintiff - Appellant

v.

Nancy A. Berryhill, Acting Commissioner of Social Security

Defendant - Appellee

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: October 5, 2017

Filed: October 11, 2017

[Unpublished]

Before WOLLMAN, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

John E. Peet appeals the order of the district court¹ affirming a partially favorable determination on his application for supplemental security income. Peet's

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Steven E. Rau, United States Magistrate Judge for the District of Minnesota.

pro se brief raises several arguments beyond the scope of this court's review of the December 18, 2014 decision before it, including claims that relate to prior disability proceedings. As to those claims that arguably relate to the appealed decision, this court concludes that (1) the administrative law judge (ALJ) properly limited his consideration to the period within the scope of a remand order of the Appeals Council, see 20 C.F.R. § 416.1477 (upon remand from Appeals Council, ALJ shall take any action ordered by Appeals Council, and may take any additional action that is not inconsistent with remand order); and (2) the ALJ did not err in proceeding with Peet's hearing despite his unrepresented status, as the record shows that Peet had been provided several notices of his right to be accompanied by representation, together with lists of organizations to contact for information regarding attorneys, see 42 U.S.C. § 1383(d)(2)(D) (Commissioner shall notify claimant in writing, together with notice of adverse determination, of options for obtaining attorney representatives, and shall advise of availability of legal service organizations providing free legal services); Wingert v. Bowen, 894 F.2d 296, 298 (8th Cir. 1990) (concluding claimant was advised of right to counsel through Social Security Administration's notice of his hearing, which explained his right to counsel, and claimant's response to notice). The judgment is affirmed. See 8th Cir. R. 47B.
