

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

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No. 99-1839

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Denise L. Dunkle,

Plaintiff-Appellant,

v.

Kenneth S. Apfel, Commissioner  
of Social Security,

Defendant-Appellee.

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Appeal from the United States  
District Court for the  
District of South Dakota

[UNPUBLISHED]

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Submitted: December 16, 1999

Filed: December 21, 1999

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Before MURPHY and MAGILL Circuit Judges, and SMITH\*, District Judge.

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PER CURIAM.

Denise Dunkle applied for benefits under Title II of the Social Security Act, 42 U.S.C. §§401-433, claiming she was disabled because of panic attacks and depression. After a hearing, the administrative law judge found that she was not entitled to benefits and the Appeals Council denied review. Dunkle then filed this action, and the district

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\*The HONORABLE ORTRIE D. SMITH, United States District Judge for the Western District of Missouri, sitting by designation.

court<sup>1</sup> granted summary judgement to the Commissioner of Social Security. Dunkle appealed, and we have now reviewed the record and the briefs and conclude that the decision of the administrative law judge is supported by substantial evidence in the record as a whole. Fines v. Apfel, 149 F.3d 893, 894-5 (8th Cir. 1998). The judgment of the district court is therefore affirmed.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>1</sup>The Honorable Richard H. Battey, United States District Judge for the District of South Dakota.