

United States Court of Appeals
For the Eighth Circuit

No. 16-2025

Robert K. Baker

Plaintiff - Appellant

v.

Carolyn W. Colvin, Acting Commissioner of Social Security

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Harrison

Submitted: February 3, 2017

Filed: February 8, 2017

[Unpublished]

Before SMITH, ARNOLD, and COLLOTON, Circuit Judges.

PER CURIAM.

Robert K. Baker appeals the district court's¹ order affirming the denial of disability insurance benefits and supplemental security income. We agree with the district court that substantial evidence supports the administrative law judge's (ALJ's) determinations that Mr. Baker's borderline intellectual functioning/mild mental retardation did not meet the requirements of Listing 12.05C, and was not a severe impairment. See Igo v. Colvin, 839 F.3d 724, 728 (8th Cir. 2016) (reviewing de novo district court's affirmance, examining whether ALJ's decision is supported by substantial evidence on record as whole); Lott v. Colvin, 772 F.3d 546, 549-50 (8th Cir. 2014) (Listing 12.05C's requirements); McDade v. Astrue, 720 F.3d 994, 1001 (8th Cir. 2013) (claimant bears burden of establishing that his impairment meets all specified criteria of listing); Kirby v. Astrue, 500 F.3d 705, 707-08 (8th Cir. 2007) (claimant bears burden of showing impairment is severe, i.e., that it has more than minimal effect on his ability to work, at step two of the sequential evaluation process).

We also agree with the district court that Social Security Ruling (SSR) 82-63 (Medical-Vocational Profiles Showing an Inability to Make an Adjustment to Other Work) does not apply in this case. The judgment of the district court is affirmed.

¹The Honorable Mark E. Ford, United States Magistrate Judge for the Western 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).