

United States Court of Appeals
For the Eighth Circuit

No. 19-2032

Michelle Annette Palmer

Plaintiff - Appellant

v.

Andrew Saul, Commissioner, Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the District of Minnesota

Submitted: March 5, 2020

Filed: March 18, 2020

[Unpublished]

Before GRUENDER, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

Michelle Palmer appeals the district court's¹ order affirming the denial of disability insurance benefits. Having considered Palmer's arguments for reversal, we agree with the court that substantial evidence in the record as a whole supports the adverse decision. See Nash v. Comm'r, Soc. Sec. Admin., 907 F.3d 1086, 1089 (8th Cir. 2018) (de novo review of district court's judgment; Commissioner's decision will be upheld if it is supported by substantial evidence in record as whole). Specifically, the administrative law judge (ALJ) properly discounted Palmer's subjective complaints as inconsistent with the evidence, and properly gave little weight to the 2011 and 2016 opinions of her treating physician as untimely and inconsistent with his treatment notes. See Renstrom v. Astrue, 680 F.3d 1057, 1066-67 (8th Cir. 2012) (ALJ properly discredited claimant's subjective complaints by noting severity of his complaints was not consistent with medical evidence or treatment history, his symptoms improved with treatment, his daily activities indicated lesser impairment than alleged, and he had possible disincentive to return to work); Cox v. Barnhart, 471 F.3d 902, 907 (8th Cir. 2006) (ALJ was entitled to give less weight to physician's opinion that was inconsistent with other evidence and was written 3 years after claimant's date last insured). We also find that substantial evidence supported the ALJ's findings regarding Palmer's residual functional capacity (RFC). See Despain v. Berryhill, 926 F.3d 1024, 1028-29 (8th Cir. 2019) (substantial evidence supported RFC finding based on treating and other providers' notes, state agency consultants' opinions, and claimant's treatment and daily activities).

The judgment is affirmed.

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