

United States Court of Appeals
For the Eighth Circuit

No. 22-3124

Vickie Ann Wright

Plaintiff - Appellant

v.

Kilolo Kijakazi, Acting Commissioner of Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Missouri

Submitted: April 11, 2023

Filed: April 20, 2023

[Unpublished]

Before GRUENDER, SHEPHERD, and GRASZ, Circuit Judges.

PER CURIAM.

Vickie Wright appeals an order affirming the denial of disability insurance benefits and supplemental security income. We agree substantial evidence in the

record as a whole supports the adverse decision and affirm.¹ *See Kraus v. Saul*, 988 F.3d 1019, 1023-24 (8th Cir. 2021) (standard of review).

Specifically, we find the administrative law judge (ALJ) properly discounted Wright’s subjective complaints, and substantial evidence supported the ALJ’s residual functional capacity (RFC) determination. *See Whitman v. Colvin*, 762 F.3d 701, 706 (8th Cir. 2014) (concluding ALJ properly considered claimant’s lack of medical care in considering his allegations of debilitating symptoms); *Krogmeier v. Barnhart*, 294 F.3d 1019, 1024 (8th Cir. 2002) (concluding substantial evidence supported RFC determination based on medical records, medical opinions, and some aspects of claimant’s testimony). We find the ALJ did not err in proceeding with Wright’s hearing despite her pro se status, as Wright received written notice of her right to representation and a list of organizations to contact regarding representation, and as she acknowledged and waived the right to representation at the hearing. *See Wingert v. Bowen*, 894 F.2d 296, 298 (8th Cir. 1990) (noting notice of hearing, which explained right to counsel, and claimant’s reply indicating he wished to proceed without counsel showed he was properly advised of and knowingly waived right). Finally, we find no merit to Wright’s contention that the district court was biased against her. *See Liteky v. United States*, 510 U.S. 540, 555 (1994) (noting “judicial rulings alone almost never constitute valid basis for a bias” finding).

The judgment is affirmed.

¹The Honorable Abbie Crites-Leoni, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).