

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Smith v. Astrue

359 F. App'x 313 (3d Cir. 2009) · No. 08-4634 · Decided December 30, 2009

SUMMARY

The United States Court of Appeals for the Third Circuit affirmed the denial of Alice Louise Smith's claims for Disability Insurance Benefits and Supplemental Security Income. The court held that the administrative law judge properly declined to give controlling weight to the treating physician's opinion and reasonably evaluated Smith's complaints of pain, and that the decision was supported by substantial evidence.

CASE DETAILS

COURT	United States Court of Appeals for the Third Circuit
WRITING FOR THE COURT	Garth, Circuit Judge; Ambro; Garth; Roth
JURISDICTION	Federal
DECIDED	December 30, 2009
DOCKET	08-4634
DISPOSITION	affirmed
PROCEDURAL POSTURE	Smith appealed the District Court's grant of summary judgment for the Commissioner of Social Security and affirmance of the denial of her applications for Disability Insurance Benefits and Supplemental Security Income.
STANDARD OF REVIEW	The court reviewed the Commissioner's decision to determine whether it was supported by substantial evidence, meaning more than a mere scintilla but less than a preponderance, and reviewed the District Court's grant of summary judgment.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Alice Louise Smith v. Michael J. Astrue, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

standard of review

appellate jurisdiction

disability definition

PRACTICE AREAS

Social Security disability

administrative law

federal appellate procedure

QUESTIONS PRESENTED

1. Whether the ALJ erred by failing to give controlling weight to the opinion of Smith's treating physician.
2. Whether the ALJ erred by failing to fully credit Smith's subjective complaints of pain.
3. Whether the Commissioner's determination that Smith was not disabled was supported by substantial evidence.

HOLDINGS

1. The ALJ did not err in refusing to give controlling weight to the treating physician's opinion because the opinion was not well supported by medically acceptable clinical and laboratory diagnostic techniques and was inconsistent with other substantial evidence in the record.
2. The ALJ did not err in declining to fully credit Smith's complaints of pain because the ALJ addressed those complaints and substantial evidence supported the finding that the pain was not as intense or debilitating as alleged.
3. The Commissioner's determination that Smith was not disabled was supported by substantial evidence.

KEY QUOTATIONS

"Substantial evidence is "more than a mere scintilla, but may be somewhat less than a preponderance." (at 314)

"It means such relevant evidence as a reasonable mind might accept as adequate." (at 314)

"Since, as set forth above, Dr. Rasheed's medical opinion is contradicted by several pieces of evidence in the record and also contains internal inconsistencies, it is not entitled to the level of deference otherwise accorded to a treating physician's opinion." (at 316)

"The ALJ did not err in failing to accord controlling weight to the opinion of Smith's treating physician, nor did he err in failing to fully credit Smith's complaints of pain." (at 318)

FACTUAL BACKGROUND

Smith alleged disability beginning December 5, 2003, based on degenerative disk disease and gastroesophageal reflux disease. Her treating physician opined that she could sit, stand, and walk for only one hour each day and could perform no postural activities, while a consultative examiner found a full range of motion, normal gait, and no functional limitation in sitting, standing, walking, lifting, or grasping. Smith also testified that severe, constant pain prevented her from working, although the record showed that she cared for her young child for at least two years and often used over-the-counter pain medication.

PROCEDURAL HISTORY

After Smith's applications were denied initially and on reconsideration, an administrative law judge held a hearing and determined that Smith was not disabled. The Appeals Council denied review, making the ALJ's decision the Commissioner's final decision. The United States District Court for the Western District of Pennsylvania affirmed the Commissioner's decision after denying Smith's motion for summary judgment and granting the Commissioner's motion. Smith timely appealed.

DISPOSITION

affirmed

CASES CITED

- Tobak v. Apfel, 195 F.3d 183, 186 (3d Cir. 1999)
- Jones v. Sullivan, 954 F.2d 125 (3d Cir. 1991)
- Rutherford v. Barnhart, 399 F.3d 546, 552 (3d Cir. 2005)
- Plummer v. Apfel, 186 F.3d 422, 427 (3d Cir. 1999)
- Ventura v. Shalala, 55 F.3d 900, 901 (3d Cir. 1995)
- Mason v. Shalala, 994 F.2d 1058, 1065 (3d Cir. 1993)
- Burns v. Barnhart, 312 F.3d 113, 129 (3d Cir. 2002)
- Gentle v. Barnhart, 430 F.3d 865, 867 (7th Cir. 2005)