

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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No. 07-6415

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

CINDY G. TURNMIRE,)	
)	
Plaintiff-Appellant,)	ON APPEAL FROM THE
)	UNITED STATES DISTRICT
v.)	COURT FOR THE
)	WESTERN DISTRICT OF
COMMISSIONER OF SOCIAL SECURITY,)	TENNESSEE
)	
Defendant-Appellee.)	MEMORANDUM
)	OPINION

BEFORE: GUY, RYAN and McKEAGUE, Circuit Judges.

PER CURIAM. Plaintiff-appellant Cindy G. Turnmire appeals from the district court's September 21, 2007 judgment upholding the decision of the Commissioner of Social Security granting in part and denying in part her application for disability insurance benefits. The Commissioner determined that Turnmire was under a disability and entitled to disability insurance benefits for the period February 26, 2001 through May 22, 2003, but had regained the residual functional capacity to perform her past relevant work by May 23, 2003. The district court affirmed the Commissioner's decision, finding the conclusion that plaintiff had ceased to be under a disability as of May 23, 2003 is supported by substantial evidence. The district court also ruled that additional evidence presented to the Commissioner after the administrative law judge had completed the

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hearing and rendered his decision does not warrant remand for reconsideration pursuant to 42 U.S.C. § 405(g) because the evidence is not “material.”

Having duly considered the district court’s opinion and the administrative record in light of the arguments advanced on appeal, we find no error.¹ The district court’s conclusions (1) that the Commissioner’s decision is supported by substantial evidence, and (2) that the additional evidence submitted by Turnmire does not warrant remand are clearly explained in its opinion and in the report and recommendation adopted by the district court. In our opinion, every objection now raised by appellant Turnmire is satisfactorily and properly answered within the four corners of the district court’s ruling. Any additional opinion from this court would be purely duplicative.

Accordingly, we hereby **AFFIRM** the district court’s judgment on the reasoning set forth in its opinion.

¹We do not have the prerogative to consider the factual merits of plaintiff’s application *de novo*, or to resolve conflicts in evidence, or to decide questions of credibility. *Walters v. Comm’r of Social Sec.*, 127 F.3d 525, 528 (6th Cir. 1997). Our review is limited to determining whether the district court erred in finding that the Commissioner’s decision is supported by substantial evidence. *Id.* “Substantial evidence” is “such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.” *Id.* (quoting *Richardson v. Perales*, 402 U.S. 389, 401 (1971)). In determining whether substantial evidence supports the Commissioner’s decision, we review the administrative record as a whole, but we may not reverse the Commissioner’s decision merely because there exists substantial evidence that supports a different conclusion. *Buxton v. Halter*, 246 F.3d 762, 772 (6th Cir. 2001).