

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

OCT 09 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SHERRY PRICE,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,

Defendant - Appellee.

No. 08-16107

D.C. No. 2:06-CV-01939-CMK

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Craig Kellison, Magistrate Judge, Presiding

Submitted October 7, 2009**
San Francisco, California

Before: GOODWIN and RYMER, Circuit Judges, and WU,*** District Judge.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable George H. Wu, United States District Judge for the Central District of California, sitting by designation.

Sherry Price appeals the district court's affirmance of the ALJ's determination that she is ineligible for Supplemental Security Income benefits under Title XVI of the Social Security Act. We affirm.

Price argues that the ALJ improperly discounted the opinion of her treating physician. A treating physician's opinion is not "conclusive as to either a physical condition or the ultimate issue of disability," *Magallanes v. Bowen*, 881 F.2d 747, 751 (9th Cir. 1989), and may be rejected if contradicted by another doctor's opinion and the ALJ gives "specific and legitimate reasons" for doing so that "are supported by substantial evidence" in the record. *Bayliss v. Barnhart*, 427 F.3d 1211, 1216 (9th Cir. 2005). The ALJ did this here.

The ALJ likewise provided "specific, clear and convincing reasons" for finding that Price's testimony about her pain, symptoms, and limitations was not fully credible. *Lingenfelter v. Astrue*, 504 F.3d 1028, 1036 (9th Cir. 2007) (citation omitted).

Other alleged errors by the ALJ were briefed and argued below, but none require further review.

AFFIRMED.