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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CHERYL L. ROWE,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant - Appellee.

No. 07-35817

D.C. No. CV-06-05436-RBL

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ronald B. Leighton, District Judge, Presiding

Argued and Submitted February 1, 2010

Seattle, Washington

Before: ALARCÓN, W. FLETCHER and RAWLINSON, Circuit Judges.

Cheryl Rowe appeals the district court's order affirming a decision of the
Commissioner of the Social Security Administration. Specifically, Rowe appeals

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

the basis on which the Administrative Law Judge (ALJ) awarded her disability benefits.

We grant the government's motion to strike the additional exhibits submitted by Rowe with her first reply brief to this court. The exhibits are not part of the administrative record upon which this court must base its review. *Harman v. Apfel*, 211 F.3d 1172, 1177 (9th Cir. 2000). *See also* 42 U.S.C. § 405(g).

We review the district court's decision de novo. *Batson v. Comm'r of Soc. Sec. Admin*, 359 F.3d 1190, 1193 (9th Cir. 2004). We must affirm the ALJ's decision, if it is supported by substantial evidence and if the ALJ applied the correct legal standards. *Id.* Even if the evidence could support more than one rational interpretation, we defer to the ALJ's decision as long as it is among the rational interpretations. *Id.*

The evidence in the record here supports more than one rational interpretation. The ALJ's determination that Rowe's disability results from the combined effects of physical and mental disorders is among those rational interpretations. In reaching his determination, the ALJ applied the correct legal standards..

AFFIRMED.