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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PATRICIA STREETT,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE,  
COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

Defendant - Appellee.

No. 06-36091

D.C. No. CV-05-01917-MFM

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Oregon  
Malcolm F. Marsh, District Judge, Presiding

Argued and Submitted November 20, 2008  
Portland, Oregon

Before: W. FLETCHER and FISHER, Circuit Judges, and BREYER, District  
Judge.\*\*

Patricia S. Streett appeals from denial of her application for disability  
benefits. The district court affirmed the denial, and this appeal followed.

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

\*\*The Honorable Charles R. Breyer, United States District Judge for the  
Northern District of California, sitting by designation.

We review the district court's decision de novo. *See Bayliss v. Barnhart*, 427 F.3d 1211, 1214 n.1 (9th Cir. 2005). The Commissioner's decision must be affirmed if it is based on the correct legal standards and is supported by substantial evidence. *See* 42 U.S.C. § 405; *Batson v. Comm'r of Soc. Sec. Admin.*, 359 F.3d 1190, 1193 (9th Cir. 2004).

We affirm the district court. Streett asserts that fibromyalgia causes her pain and fatigue sufficient to render her entirely disabled. She has met her burden under *Cotton v. Bowen*, 799 F.2d 1403 (9th Cir. 1986) (per curiam), to prove excessive pain by showing objective medical evidence of impairments and that her impairments could reasonably be expected to cause some degree of pain. *See Smolen v. Chater*, 80 F.3d 1273, 1282 (9th Cir. 1996). The ALJ may reject her testimony, however, if he offers clear and convincing reasons for doing so that are supported by specific findings. *See Dodrill v. Shalala*, 12 F.3d 915, 918 (9th Cir. 1993). The ALJ discussed numerous clear and convincing reasons to reject Streett's testimony, citing specific findings from the record for each. He appropriately did not credit her testimony, and his denial of her application for disability benefits was proper.

**AFFIRMED.**