

22-7696
The Supreme Court OF The United
States For Washington D.C.

RKB

Michael Eugene Parker. Sr.)

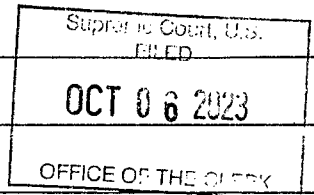
Plaintiff / Appellant)

v.)

Kilolo Kijakazi)

Commissioner OF S.S.A)

Defendant - Appellee)

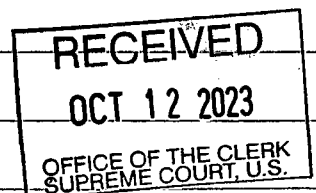


No. 22-3171

No. 22-7696

I The Plaintiff / Appellant Request

Rule 44. Rehearing:



Respectfully I, Michael Eugene Parker

Sr. come by Pro-Se to move

request the court for a rehearing grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented; and that it is presented in good faith and not for delay.

Subject matter jurisdiction

"Podrazo" and;

20 C.F.R. § 416.325 (a) general rule.

I am requesting an appeal of the

tenth circuit decision to dismiss because failure to appeal with the appeal counselor. I felt there was abuse of power and authority was been shown throughout the course's of procedures with the social security agency, and I growing exhaustion.

I Michael E. Parker Sr. felt intimidated so I filed a civil action with the United State District.

(I) The administrative law judge re-weighing the medical evidance on record as whole that the United

State District Court judge issued orders over and the tenth circuit court order reversing the Commissioner's decision denying my application for benefits.

Exhibit (A-7) page 164 to 181 Notice of Decision - Partially Favorable.

(ii.) Exhibit (A-7) page 90 - 181: The Tenth Circuit court order reversing the Commissioner's decision.

(iii.) The Commissioner's remanded medical onset date that is dated January 20, 2020. Which is a error.

(iv.) Even with the tenth circuit

Court order as part of the evidence on record as whole and the Commissioner continue to deny my application for benefits.

In the present case the plaintiff protectively filed a claim for title XVI disability benefits on December 11, 2017 (Exhibit 16).; The claim was denied at the initial level on April 3, 2018 and upon reconsideration on Oct 4, 2018 (Exhibit 17-18). The plaintiff filed a request for a hearing, and an Administrative law judge issued

a partially favorable decision on January 23, 2020 (Exhibit 19). The plaintiff was found disabled as of January 10, 2020.

December 11, 2017 is when I the plaintiff applied protected application for benefits and this is my medical onset date to correct it to and I am entitled to my additional supplemental back pay income benefits.

The court must determine whether the ALJ applied the correct legal standard.

Lax v. Astrue, 489 F.3d 1080, 1084 (10th Cir 2007) accord, *White v. Barnhart*, 287 F.3d 903, 905

(10th Cir. 2001). Substantial evidence is more than scintilla, but it is less than a preponderance; it is such evidence as a reasonable mind might accept to support a conclusion,

Conclusion

I Michael E. Parker Sr. pray that the Court order the medical onset date be corrected and I am entitled to my additional supplemental back benefit as judgement.

Certificate OF Service

I Michael E. Parker Sr. by Pro-Se

hereby certify that on there date

Oct 6, 2023; I served the following

Counselor's by using the CM/ECF

electronically with United State OF

The Supreme Court Clerk office.

Jennifer Batt Randall / For The Commissioner

Co AH Reg. 33240

Social Security Administration

6401 Security Boulevard

Baltimore, MD 21235

Duston J. Slinkard

United State Attorney

Kilolo Kijakazi

Commissioner of Social Security

Michael E. Parker Sr.

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Dated: Oct 6, 2023

Respectfully Submitted.