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# Perkins meets 12.05(C)

## Has valid IQs in the range

## ALJ didn't reject IQ

## Perkins is entitled to the Hodges presumption (what did ALJ say about presumption?)

## Has diagnosis

### Diagnosis is not required, but reflects medical judgment 12.05(C) met

### ALJs reasons for rejecting diagnosis flawed

#### ALJ can't substitute own medical opinion for psychologist's

#### work doesn't disprove MR

##### Never was a kitchen manager/cook

###### VEs said not (did ALJ accept? reject?)

VE 1 said cook helper, svp2

VE 2 ultimately agreed

###### Perkins' testimony shows not (accepted? rejected?)

#### lack of previous MMR diagnosis doesn't disprove

##### No other source did IQ testing

##### Most saw no more than a few times

##### Treating sources had no reason to test, as MMR can't be cured/treated

#### Adaptive functioning not in any way inconsistent w/MMR

##### driver's license

##### "caring" for children

##### preparing meals

##### doing chores

### School records show significantly subaverage intellectual functioning before 22

#### some special ed

#### failed basic skills tests

#### was well below grade level

## Has "other" impairment

## Meets all requirements

# Rejection of Willers' opinion improper

## Supported by full battery of tests [says "equates" not "meets". Why?]

## ALJ's claim of overwhelming evidence he is not retarded is false

### work does not disprove

#### never was kitchen manager/cook

##### VEs said was not

###### same as above

##### lack of previous MMR diagnosis doesn't disprove

###### No other source tested

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###### great body of longitudinal evidence included only Willers' testing

###### ALJ's belief evidence does not support Willers is playing doctor

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#### ALJ can reject IQs where evidence is contrary, but here all the evidence is consistent,

#### Willers said IQ was valid, c/w school records and presentation