

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60126
Summary Calendar

JUATASSA SIMS,

Plaintiff-Appellant,

versus

KENNETH S. APFEL,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi

November 6, 1998

Before POLITZ, Chief Judge, STEWART and PARKER, Circuit Judges.

PER CURIAM:

Juatassa Sims appeals the district court's affirmance of the Commissioner's denial of her application for disability insurance benefits, contending that the administrative law judge: (1) failed to afford proper weight to a psychologist's opinion that she was severely depressed; (2) improperly excluded certain of her impairments in assessing her residual function capacity; and (3) should have ordered a consultative examination to assess her mental impairments. We affirm.

We lack jurisdiction to review Sims's second and third contentions because they were not raised before the Appeals Council.¹ The first contention is without merit because the ALJ is entitled and expected to determine the credibility of medical experts and to weigh their opinions accordingly.² Concluding that the findings of the ALJ are supported by substantial evidence, the judgment appealed is AFFIRMED.³

¹**Paul v. Shalala**, 29 F.3d 208 (5th Cir. 1994).

²**Greenspan v. Shalala**, 38 F.3d 232 (5th Cir. 1994).

³**Villa v. Sullivan**, 895 F.2d 1019 (5th Cir. 1990).