

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50391  
Summary Calendar

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JANIE T. OJEDA,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-99-CV-815-JN  
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February 20, 2002

Before REAVLEY, DAVIS and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Janie Trevino Ojeda ("Ojeda") appeals the district court's judgment affirming the Social Security Commissioner's denial of her application for supplemental security income (SSI). Ojeda contends that the Administrative Law Judge's (ALJ) findings were not supported by substantial evidence and that the ALJ did not apply the proper legal standard for her age.

"Appellate review of the [Commissioner's] denial of disability benefits is limited to determining whether the decision is supported by substantial evidence in the record and

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

whether the proper legal standards were used in evaluating the evidence." Villa v. Sullivan, 895 F.2d 1019, 1021 (5th Cir. 1990)(citation omitted); Ripley v. Chater, 67 F.3d 552, 555 (5th Cir. 1995). "'Substantial evidence is more than a scintilla, less than a preponderance, and is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.'" Villa, 895 F.2d at 1021-22 (citation omitted).

WE AFFIRM, substantially for the reasons stated in the magistrate judge's opinion Ojeda v. Massanari, No. A-99-CV-815-AA (W.D. Tex. Mar. 22, 2001) (unpublished).

AFFIRMED.