

FILED

February 27, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40971
Summary Calendar

BARBARA HELEN METTLEN,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:01-CV-28

Before DUHÉ, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:¹

Barbara Helen Mettlen appeals the district court's judgment affirming a final decision of the Commissioner of Social Security. She argues that the Social Security administrative law judge failed to properly apply Social Security Ruling 99-2p. In order to obtain reversal, Mettlen must show both error and some resulting prejudice. Newton v. Apfel, 209 F.3d 448, 458 (5th Cir. 2000). Prejudice can be established by showing that the additional considerations "might have led to a different decision." Newton,

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

209 F.3d at 458 (quoting Ripley v. Chater, 67 F.3d 552, 557 n. 22 (5th Cir. 1995)).

The administrative law judge's conclusion that Mettlen was still able to perform her past relevant work is supported by substantial evidence within the record. See Harris v. Apfel, 209 F.3d 413, 417 (5th Cir. 2000). Therefore, in the absence of any specific argument suggesting that some potential error prejudiced Mettlen's claim, the ruling of the district court is AFFIRMED.