

January 29, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-10853  
Summary Calendar

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LEON JACKSON, JR.,

Appellant,

versus

JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL SECURITY,

Appellee.

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Appeal From the United States District Court  
For the Northern District of Texas  
Civil Docket No. 2:03-CV-191  
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Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

The appellant, Leon Jackson, Jr., alleges that an administrative decision by the Commissioner of Social Security denying his application for disability benefits was not supported by substantial evidence. Leggett v. Chater, 67 F.3d 558, 563-64 (5th Cir. 1995). In reviewing the Commissioner's decision, we grant it "great deference" and do not disturb it unless we "cannot find substantial evidence in the record to support the Commissioner's decision or [find] that the Commissioner made an error of law." Id.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Contrary to the petitioner's assertions, the Administrative Law Judge here relied on more than "impugning of the claimant's testimony" and "the claimant's activities of daily living." The opinion below was supported by the medical examination of the plaintiff by Drs. Plummer and Malay in 2001. Dr. Plummer's report supports the ALJ's determination that the plaintiff is not disabled, and Dr. Malay's notes do not conflict with it. We find no error in the ALJ's decision to credit these reports rather than the 1991 examination by Dr. Cole, relied upon by the plaintiff. We therefore AFFIRM.