

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41043
Summary Calendar

MARK K. HEDRICK,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, COMMISSIONER
OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-96-CV-583
- - - - -

June 16, 1998

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Mark K. Hedrick appeals the district court's judgment affirming the decision of the Social Security Commissioner denying disability benefits pursuant to 42 U.S.C. § 405(g). He challenges that Commissioner's determination that Hedrick had the residual functional capacity to perform a full range of sedentary work of an unskilled or semi-skilled nature, subject to no climbing, stooping, crawling, or kneeling. He specifically

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

argues that he was denied due process because the record was not complete, the Appeals Council erred in failing to reopen the proceedings, the administrative law judge (ALJ) impermissibly considered Hedrick's apparent lack of discomfort during the hearing in reaching its determination, the treating physicians' opinions were not given their proper weight, his earnings represented failed work attempts or constituted substantial gainful activity, and the ALJ erred in offering an incomplete hypothetical question to the vocational expert.

We have reviewed the record and the briefs of the parties and find no reversible error. Accordingly, we AFFIRM for the reasons stated by the magistrate judge and adopted by the district court. See Hedrick v. Callahan, C-96-CV-583 (S.D. Tex. July 24, 1997).

AFFIRMED.