

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50962
Summary Calendar

JOAN GETZFRID,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-95-CV-400
- - - - -

June 24, 1998

Before JONES, SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Joan Getzfrid appeals from the district court's decision in favor of the Commissioner which denied disability and supplemental security income benefits to her. Getzfrid argues that the Commissioner's decision is not supported by substantial evidence and that the Commissioner failed to apply the proper legal standards.

The Commissioner applied the proper legal standards in denying benefits to Getzfrid. See 20 C.F.R. § 404.1520 (1995);

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Leggett v. Chater, 67 F.3d 558, 563 n.2 (5th Cir. 1995).

Further, a review of the record reflects substantial evidence supporting the Commissioner's decision. See Ripley v. Chater, 67 F.3d 552, 555 (5th Cir. 1995). Getzfrid is not entitled to a remand because she submitted new evidence because she failed to establish good cause for her failure to submit the evidence earlier and the evidence does not relate back to the time period for which the disability benefits were denied. See Leggett, 67 F.3d at 567. Therefore, Getzfrid failed to carry her burden of proving a disability making her eligible for disability or supplemental security income benefits. 42 U.S.C. § 423.

AFFIRMED.