

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30002
Summary Calendar

MARGARET WAGNER,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, Commissioner of
Social Security,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 96-CV-385-R

November 24, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Margaret Wagner appeals from a judgment affirming the decision of the Commissioner of Social Security denying her claim for disability insurance benefits, 42 U.S.C. § 405(g). She contends that the Commissioner failed to apply the correct legal standards and that his decision was not supported by substantial evidence. We have reviewed the record and the briefs of the parties, and we conclude that the Commissioner failed to make the necessary determination whether Wagner could obtain and maintain employment

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

as a bookkeeper, and improperly ruled that the issue was not a proper one for determining disability. See Singletary v. Bowen, 798 F.2d 818, 822-23 (5th Cir. 1986). The district court's judgment therefore is REVERSED, and the case is REMANDED with instructions that the district court remand the case to the Commissioner for further consideration.

REVERSED and REMANDED.