

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50092
Summary Calendar

ANNA M. CUELLAR,
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
(SA-97-CV-422)

February 26, 1999

Before WIENER, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Anna M. Cuellar appeals the district court's judgment affirming the denial of her application for supplemental security income benefits. She contends that the Administrative Law Judge (ALJ) erred by making a credibility assessment regarding her subjective complaints; that the ALJ posed an inadequate hypothetical question to the vocational expert; and that the Commissioner's determination was not supported by substantial evidence.

Because Cuellar failed to exhaust her administrative remedies by raising before the Appeals Council in her request for review of

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the ALJ's decision, her contention regarding the hypothetical question, we lack jurisdiction to review that issue. **Paul v. Shalala**, 29 F.3d 208, 210 (5th Cir. 1994); see also 20 C.F.R. § 416.1400(b).

As for the remaining issues, and pursuant to our review of the record, we find no reversible error.

AFFIRMED