

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-51045
Summary Calendar

JOYCE MALOY,

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. SA-96-CV-1014
- - - - -

November 10, 1998

Before EMILIO M. GARZA, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Joyce Maloy appeals from the dismissal of her complaint for judicial review of the decision of the Commissioner of Social Security denying her widow's disability insurance benefits. Maloy contends that the Administrative Law Judge's decision denying her benefits was not supported by substantial evidence in several respects. Although Maloy did not raise these issues in objections to the magistrate judge's recommendation, the plain-error standard of review does not apply because the district

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

court conducted an independent review of the magistrate judge's findings and conclusions. Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1428-29 (5th Cir. 1996)(en banc).

Having reviewed the record and the briefs of the parties, we AFFIRM for essentially the reasons relied upon by the district court. Maloy v. Apfel, No. SA-96-CA-1014 (W.D. Tex. Oct. 27, 1997 and Nov. 12, 1997).

AFFIRMED.