

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50137
Summary Calendar

ALICIA D. DAVALOS,

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-97-CV-307
- - - - -

March 12, 1999

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Alicia Davalos appeals the district court's judgment affirming the Commissioner's denial of her request for Supplemental Social Security Income and Disability Insurance Benefits. We review the Commission's decision to determine whether the Commissioner applied the proper legal standards and whether the Commissioner's decision is supported by substantial evidence on the record as a whole. Villa v. Sullivan, 895 F.2d 1019, 1021 (5th Cir. 1990).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Davalos contends that the Commissioner failed to articulate his reasons for rejecting the opinion of her treating physician and improperly rejected her assertions of disabling pain. We have reviewed the record and the briefs of the parties, and we find no reversible error. Accordingly, we affirm essentially for the reasons stated by the district court. See Davalos v. Apfel, No. SA-97-CA-307 (W.D. Tex. Dec. 10, 1997).

AFFIRMED.