

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60126
Summary Calendar

JUATASSA SIMS,

Plaintiff-Appellant,

versus

KENNETH S. APFEL,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 2:97-CV-94-B

November 6, 1998

Before POLITZ, Chief Judge, STEWART and PARKER, Circuit Judges.

PER CURIAM:*

Juatassa Sims appeals the district court's affirmance of the Commissioner's denial of her application for disability insurance benefits, contending that the administrative law judge: (1) failed to afford proper weight to a psychologist's opinion that she was severely depressed; (2) improperly excluded certain of her

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

impairments in assessing her residual function capacity; and (3) should have ordered a consultative examination to assess her mental impairments. We affirm.

We lack jurisdiction to review Sims's second and third contentions because they were not raised before the Appeals Council.¹ The first contention is without merit because the ALJ is entitled and expected to determine the credibility of medical experts and to weigh their opinions accordingly.² Concluding that the findings of the ALJ are supported by substantial evidence, the judgment appealed is AFFIRMED.³

¹**Paul v. Shalala**, 29 F.3d 208 (5th Cir. 1994).

²**Greenspan v. Shalala**, 38 F.3d 232 (5th Cir. 1994).

³**Villa v. Sullivan**, 895 F.2d 1019 (5th Cir. 1990).