

February 10, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-51050
Summary Calendar

SHERRY L. BROOKS,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court for
the Western District of Texas
(USDC No. 7:03-CV-109)

Before REAVLEY, JOLLY, HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

We affirm the district court's judgment for the following reasons:

1. The ALJ's determination that Brooks did not have a severe mental impairment is supported by substantial evidence. The medical record did not indicate that

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Brooks' mental condition rose to the level of a severe impairment, and thus, there was no need for the ALJ to order further testing to determine Brooks' residual functional capacity in regards to her psychological problems.

2. The ALJ determination regarding Brooks' residual functional capacity is was also supported by substantial evidence. In addition to Brooks' medical records, evidence of Brooks' daily activities, including cleaning, cooking, shopping, child care, and personal care, indicated that Brooks had the adequate residual functional capacity to perform at least sedentary work.
3. Finally, the ALJ's opinion adequately considers all of the evidence and lays out the reasons for his decision.

Therefore, the district court's decision is AFFIRMED.