

FILED

November 19, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-20491
Summary Calendar

CARMELITA JACOBS JONES,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART, COMMISSIONER
OF SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court for
the Southern District of Texas
(USDC No. 4:02-CV-3818)

Before REAVLEY, WIENER and BENAVIDES, Circuit Judges.

PER CURIAM:*

The judgement of the district court is affirmed for the reasons explained in the magistrate judge's memorandum and recommendation of March 8, 2004. The Administrative Law Judge properly weighed all of the evidence in the record as a whole in rejecting the conclusions of the

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

claimant's treating physician. See Griego v. Sullivan, 940 F.2d 942, 945 (5th Cir. 1991); Martinez v. Chater, 64 F.3d 172, 176 (5th Cir. 1995). Further, there is substantial evidence supporting the determination that the claimant was not disabled pursuant to 20 C.F.R. Pt. 404, Subpt. P, App. 1, § 12.00A. Finally, it was not error to consider the claimant's daily activities in determining that her impairments were not totally debilitating and did not prevent her from performing significant work activities. See Chaparro v. Bowen, 815 F.2d 1008, 1011 (5th Cir. 1987); Leggett v. Chater, 67 F.3d 558, 565 n.12 (5th Cir 1995); 20 C.F.R. Pt. 404, Subpt. P, App. 1, § 12.00(C)(2). AFFIRMED.