

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50386
Summary Calendar

RAMON MARTINEZ,

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. W-01-CV-147

November 8, 2002

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Ramon Martinez appeals the district court's judgment affirming the Social Security Commissioner's decision to deny him Supplemental Security Income benefits. He has also filed a motion seeking remand to the district court for consideration of new evidence. His motion seeking remand is DENIED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Martinez argues that the Commissioner's decision to deny him benefits is not supported by substantial evidence and was based on an incorrect legal standard. These arguments are unavailing. See Newton v. Apfel, 209 F.3d 448, 452 (5th Cir. 2000); Brown v. Apfel, 192 F.3d 492, 498 (5th Cir. 1999). The judgment of the district court is AFFIRMED.