

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-51146
Summary Calendar

JERRY HOMANN,

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. A-97-CV-717-JN

November 9, 1999

Before REAVLEY, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Jerry Homann has appealed the district court's order affirming the decision of the Commissioner of Social Security denying his claim for disability benefits. Homann contends: that the Commissioner erred in failing to credit his treating physician's opinion that Homann's condition met or was equal to listing 1.05C of the Listing of Impairments; that the Commissioner erred by disregarding Homann's limitation in the use of his hands; that the Commissioner failed to prove that there are a substantial number of jobs in the economy that he can perform; and that the Commissioner did not apply the proper

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

standard in reviewing his subjective complaints of pain. Based upon a careful review of the record, the briefs, and applicable law, we conclude that there was substantial evidence in the record to support the Commissioner's decision to deny disability benefits and that the Commissioner used proper legal standards in evaluating the evidence. See Villa v. Sullivan, 895 F.2d 1019, 1021 (5th Cir. 1990) (standard of review). The district court's judgment is AFFIRMED.