

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-8150

Summary Calendar

ROSETTA BARNES,
SS #XXX-XX-XXXX,

Plaintiff-Appellant,

versus

DONNA SHALALA, Secretary of Health
and Human Services,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
(A-91-CV-935)

(January 26, 1994)

Before HIGGINBOTHAM, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

I.

Rosetta Barnes filed for disability benefits and supplemental security income under Titles II and XVI of the Social Security Act. She traced her problems to March 24, 1989, when a car hit the school bus she was driving from behind. Barnes alleged that the crash had caused certain physical and psychological maladies.

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

An administrative law judge found that Barnes was not disabled within the meaning of the Social Security Act. The Appeal Council declined to review the matter. Barnes filed this lawsuit in the district court, which denied relief. We affirm.

II.

In reviewing the denial of disability benefits and supplemental security income, we consider whether the Secretary applied proper legal standards in making her ruling, and whether the Secretary's decision rests on substantial evidence in the record as a whole. Anthony v. Sullivan, 954 F.2d 289, 292 (5th Cir. 1992); Johnson v. Bowen, 864 F.2d 340, 343 n.1 (5th Cir. 1988).

III.

Barnes argues that the ALJ failed to address the limitations imposed by Barnes' post-traumatic stress disorder and that the ALJ improperly rejected the opinions of treating physicians regarding the stress disorder diagnosis. In particular, Barnes objects that the ALJ did not address her fear of automobile travel and incorporate it into questions that the ALJ put to a vocational expert about Barnes' job prospects.

Barnes, however, did not raise the post-traumatic stress disorder issue before the district court. She noted only as a general matter that she had suffered from the ailment, and did not argue that the Secretary had erroneously failed to include the diagnosis in the hypothetical to the vocational expert. Because Barnes did not raise the post-traumatic stress disorder issue

before the district court, we will not address it. See James v. Bowen, 793 F.2d 702, 704 (5th Cir. 1986).

AFFIRMED.