

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50088
Summary Calendar

JAMES SULLIVAN, A Minor,
by James Sorrells, Next Friend (father),

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. A-01-CV-338-SS

December 30, 2002

Before GARWOOD, WIENER, and DENNIS, Circuit Judges.

PER CURIAM:*

James Sorrells ("Sorrells"), on behalf of his minor son James Sullivan, appeals the district court's judgment affirming the Social Security Commissioner's denial of his application for supplemental security income (SSI). Sorrells contends that the Administrative Law Judge's (ALJ) findings were not supported by substantial evidence.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

"Appellate review of the [Commissioner's] denial of disability benefits is limited to determining whether the decision is supported by substantial evidence in the record and whether the proper legal standards were used in evaluating the evidence." Villa v. Sullivan, 895 F.2d 1019, 1021 (5th Cir. 1990)(citation omitted); Ripley v. Chater, 67 F.3d 552, 555 (5th Cir. 1995). "Substantial evidence is more than a scintilla, less than a preponderance, and is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." Villa, 895 F.2d at 1021-22 (citation omitted).

The record contains substantial evidence supporting the Commissioner's conclusion that Sullivan's condition did not result in marked and severe functional limitations which warranted SSI benefits. See 42 U.S.C. § 1382c(a)(3)(C)(i). Because the Commissioner's decision was supported by substantial evidence, the decision of the district court is affirmed.

AFFIRMED.