

January 22, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-10880
Summary Calendar

SYLVIA S. CORTINEZ,

Plaintiff - Appellant,

v.

JO ANNE B. BARNHART, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

Appeal from the United States District Court
for the Northern District of Texas, Amarillo Division
USDC No. 2:03-CV-0156

Before DeMOSS, STEWART and PRADO, Circuit Judges.

PER CURIAM:*

Sylvia S. Cortinez ("Cortinez") filed a claim under the Social Security Act for Disability Insurance Benefits and Supplemental Security Income. The Administrative Law Judge ("ALJ") denied Cortinez's claim and the Appeals Council affirmed the decision of the ALJ. Treating the decision of the Appeals Council as the final decision of the Commissioner of Social Security, Cortinez filed suit in the district court for 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Northern District of Texas seeking judicial review of the Commissioner's decision. The case was referred to a Magistrate Judge for Report and Recommendation, and the Magistrate Judge recommended that Cortinez's petition for review be denied. The district court adopted the Magistrate Judge's Report and Recommendation and entered final judgment denying any relief to Cortinez. Cortinez appeals to this Court.

Our review is limited to determining (1) whether there is substantial evidence in the record as a whole to support the Commissioner's decision, and (2) whether the Commissioner's decision comports with relevant legal standards. *Jones v. Apfel*, 174 F.3d 692, 693 (5th Cir. 1999). We have carefully reviewed the briefs, record excerpts, and relevant portions of the record itself. For the reasons stated in the Magistrate Judge's Report and Recommendation, as adopted by the district court, we affirm the decision of the district court to enter final judgment against Cortinez.

AFFIRMED.