

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 24, 2008

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No. 08-50158  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

JOHN B. STOFA, JR.

Plaintiff - Appellant

v.

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY

Defendant - Appellee

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Appeal from the United States District Court for the  
Western District of Texas, San Antonio  
(5:07-CV-332)

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Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

In this social security case, Plaintiff-Appellant John B. Stofa, Jr. contends that the determination of the Administrative Law Judge ("ALJ") that Stofa is not disabled, as affirmed by the United States Magistrate Judge before whom this matter was heard in the district court by consent of the parties, should be reversed and remanded for award of benefits or additional administrative

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

proceedings. Stofa urges that the record does not contain substantial evidence to support the ALJ's finding or the magistrate judge's affirmance of the ruling of the ALJ.

We have reviewed the entire record on appeal, and considered it in light of the law and facts as presented therein and in the briefs of counsel for the parties, giving particular attention to the patiently exhaustive Memorandum Decision and Order signed and entered on December 18, 2007 by the magistrate judge, on the basis of which the district court's final judgment was entered and filed on February 4, 2008, affirming the decision of the Commissioner and denying Stofa the relief he sought. For essentially the same reasons set forth by the magistrate judge in her Memorandum Decision and Order, the ruling of the district court affirming the ALJ and the order of the Commissioner is, in all respects,

AFFIRMED.