

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-40791
Conference Calendar

BARBARA M. ARDOIN,

Plaintiff-Appellant,

versus

DONNA E. SHALALA,
U.S. Secretary of Health and
Human Services,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 89-CV-2727
- - - - -

(January 26, 1995)

Before POLITZ, Chief Judge, and HIGGINBOTHAM and DeMOSS,
Circuit Judges.

PER CURIAM:*

Barbara Ardoin filed this application for supplemental security income benefits based on disability beginning in May of 1986, due to nerves, high blood pressure, and arthritis. On remand to the administrative law judge (ALJ), after a supplemental hearing, the ALJ found that Ardoin was not disabled. The district court granted the Secretary's motion for summary

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

judgment, finding that the decision of the ALJ was supported by substantial evidence and that the ALJ had correctly discounted Ardoin's complaints.

On appeal, Ardoin challenges only the ALJ's credibility determination. The vocational expert testified that if all of Ardoin's alleged physical and mental problems and limitations were true, there was no work she could perform. However, the ALJ found that to the extent that Ardoin had alleged disability, a disabling condition, or totally disabling pain, her testimony was not credible. The ALJ supported this finding by noting that in her initial application for benefits on May 13, 1987, Ardoin had listed numerous activities that she could perform, such as housework, cooking, driving, shopping, and getting her kids off to school. Ardoin filed a reconsideration disability report on September 9, 1987, in which she stated that she could not do anything. The ALJ noted additional inconsistencies in Ardoin's complaints to the doctors who examined her and in her testimony at the hearings regarding her daily activities.

If the claimant could have prevailed if all of the claimant's evidence had been believed, the ALJ must make specific findings regarding the credibility of the claimant's complaints of pain. Scharlow v. Schweiker, 655 F.2d 645, 648 (5th Cir. 1981). The ALJ made express findings regarding Ardoin's credibility and adequately supported his findings with references to inconsistencies in her testimony at the hearings and statements made in her applications for benefits. See Hollis v. Bowen, 837 F.2d 1378, 1385 (5th Cir. 1988) (inconsistencies in

testimony on pain and daily activities supported ALJ's findings on credibility). The ALJ's finding that Ardoin's complaints were not credible is entitled to considerable deference, Wren v. Sullivan, 925 F.2d 123, 128 (5th Cir. 1991), and this Court may not reweigh the evidence. Carrier v. Sullivan, 944 F.2d 243, 247 (5th Cir. 1991).

The decision of the Secretary is supported by substantial evidence, and this appeal, based solely on the credibility determinations of the ALJ which were specifically addressed in his decision, is DISMISSED AS FRIVOLOUS. See 5th Cir. R. 42.2.