

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-60531
Summary Calendar

MARIA G. SALINAS,

Plaintiff-Appellant,

versus

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

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
(CA-C-93-117)

(May 29, 1995)

Before JONES, BARKSDALE and BENAVIDES, Circuit Judges.

PER CURIAM:*

Appellant Maria Salinas has not worked since she received injuries during a slip and fall incident in July 1987. She filed a second application for social security disability benefits in March 1991 asserting various health problems, including severe post-status peptic ulcer disease, post-status rotator cuff repair and depression. Her claim was denied when the ALJ found that she

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

could perform less demanding work than she had previously done. Following unsuccessful appeals to the appeals council and then to the federal district court, Salinas seeks relief in this court. We find no reversible error and therefore affirm.

Following her injury, Salinas underwent surgery to repair the torn rotator cuff in her left shoulder and an arthroscopy of the right knee. While she recovered physically from these procedures, she continued to complain of pain in the ankles, knees, left wrist, left shoulder and back. At some point, she developed a probable aspirin-induced duodenal ulcer. She has suffered from depression and Talwin dependency. She has visited many doctors, and has found little relief from her ailments and few if any definitive diagnoses.

The ALJ concluded that because of her condition, Salinas was unable to return to her previous employment as a cook, cashier, waitress, or public servant. After reviewing the medical evidence, however, and the testimony of Salinas and a vocational expert, the ALJ found that Salinas retains the residual functional capacity to perform sedentary work.

In a spirited and lengthy brief, Salinas takes issue with just about every factual finding and legal conclusion of the ALJ. Having carefully reviewed the administrative file in light of the arguments made by Salinas, we must reject her contentions. The ALJ followed the applicable law and regulations in ruling on Salinas's case, and in particular, he weighed her complaints of pain, the conflicting testimony of the physicians, the question of non-

exertional impairments, and the vocational expert's evaluation according to the proper legal standards.

Salinas also disputes whether there was substantial evidence to support the ALJ's factual findings. Like the district court, which also thoroughly evaluated the administrative record, we believe there was. The medical findings in this case were conflicting, Salinas's complaints of pain were difficult to evaluate in terms of her symptoms, and her ability to maintain sedentary work with a sit/stand option was subject to disagreement. Because there was evidence on each side of these issues, the ALJ was entitled to and did weigh the evidence. We cannot vacate his ruling simply because we might have come to a different result.

For these reasons, the judgment of the district court is **AFFIRMED.**