

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10521  
Summary Calendar

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DAVID CHASE BOYD,

Plaintiff-Appellant,

versus

SHIRLEY S. CHATER,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:92-CV-00121  
- - - - -

January 29, 1996

Before WIENER, PARKER and DENNIS, Circuit Judges.

PER CURIAM:\*

David Chase Boyd contests the denial of his applications for Social Security disability benefits and supplemental security income. We AFFIRM. Boyd's motion to file his reply brief in its present form is DENIED.

Boyd presents two issues: (1) that the ALJ's hypothetical questions to the vocational expert failed to incorporate all of his limitations and Boyd's counsel did not have an adequate opportunity to remedy the defective hypothetical, and (2) that

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the ALJ's decision was contrary to law because the ALJ committed legal errors by a) failing to apply Singletary v. Bowen, 798 F.2d 818 (5th Cir. 1986), and consider whether Boyd's alcohol abuse would prevent him from keeping employment; b) failing to follow the Appeals Council's instructions on remand; c) failing to consider Boyd's alcohol abuse under the guidance of Social Security Ruling 82-60; and d) failing to complete "B" criteria of new psychiatric review technique.

We do not consider the first issue because Boyd did not raise it in the district court. Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991); James v. Bowen, 793 F.2d 702, 704 (5th Cir. 1986). Nor do we consider the second issue because Boyd failed to raise it before the Appeals Council or in the district court. Paul v. Shalala, 29 F.3d 208, 210 (5th Cir. 1994).

AFFIRMED.