

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10557
Summary Calendar

LAWRENCE D. FARAR,

Plaintiff-Appellant,

versus

SHIRLEY S. CHATER,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:95-CV-89-C
- - - - -

April 3, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Lawrence D. Farar appeals the Commissioner's decision denying Supplemental Security Income. Farar contends that the proper legal standards were not applied and that substantial evidence does not support the Commissioner's decision. Farar also contends that the Administrative Law Judge (ALJ) did not consider the effects of his nonexertional impairments on his

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

ability to do sedentary work, did not properly evaluate his subjective complaints of pain, and did not present a sufficient hypothetical to the vocational expert. Finally, Farar contends that the ALJ did not properly identify available jobs that he could perform and that the ALJ did not develop a full and fair record.

We have reviewed the record and Farar's brief and AFFIRM the decision of the Commissioner for essentially the reasons adopted and set forth by the district court. Farar v. Chater, No. 5:95-CV-089-C (N.D. Tex. Mar. 15, 1996). Farar failed to raise before the Appeals Council his assertions that he did not receive a full and fair hearing and that the ALJ did not properly identify available jobs. This court is without jurisdiction to examine those issues because Farar has not demonstrated the requisite prejudice. Paul v. Shalala, 29 F.3d 208, 210 (5th Cir.1994). Accordingly, the judgment is AFFIRMED.