

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30557
Summary Calendar

FANNIE OLIVER,

Plaintiff-Appellant,

versus

SOCIAL SECURITY ADMINISTRATION,
Shirley S. Chater, Commissioner,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-20-E
- - - - -

January 31, 1997

Before GARWOOD, JOLLY, and DENNIS, Circuit Judges:

PER CURIAM:*

Fannie Oliver appeals from the summary judgment for the defendant in her Social Security action. Oliver contends solely that the Administrative Law Judge failed to determine whether she could obtain and maintain employment on a day-to-day basis. Oliver did not raise her contention before the Appeals Council; she did not exhaust administrative remedies as to the contention.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We find no reason to waive the exhaustion requirement in Oliver's

case. Consequently, we lack jurisdiction over Oliver's appeal.

Paul v. Shalala, 29 F.3d 208, 210 (5th Cir. 1994).

APPEAL DISMISSED.