

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50028  
Summary Calendar

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DORA IRVING,

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 Western District of Texas  
USDC No. SA-95-CV-324  
- - - - -

August 1, 1996

Before DAVIS, JONES and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Dora Irving appeals the district court's affirmance of the Commissioner's decision denying Supplemental Security Income (SSI) benefits. Irving contends that the Commissioner's decision was not supported by substantial evidence. A review of the record indicates that the Commissioner's determinations are supported by substantial evidence.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Irving also argues that the administrative law judge (ALJ) should have ordered a consultative psychiatric and/or psychological examination to determine whether she has a mental impairment. Because Irving did not request a consultative mental examination while the case was pending before the ALJ and did not present any testimony of mental health professional or other evidence of a mental impairment, she did not meet her burden to show a mental impairment or raise a suspicion requiring the ALJ to order a consultative examination. See Leggett v. Chater, 67 F.3d 558, 566-67 (5th Cir. 1995); Pierre v. Sullivan, 884 F.2d 799, 803 (5th Cir. 1989).

Irving also argues that the ALJ failed to complete a standard Psychiatric Review Technique Form. The failure to complete the form did not affect Irving's substantial rights. Mays v. Bowen, 837 F.2d 1362, 1364 (5th Cir. 1988).

AFFIRMED.