

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50284
Summary Calendar

PAUL RODRIGUEZ, SS#464-77-9611,

Plaintiff-Appellant,

versus

SHIRLEY S. CHATER,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. EP-94-CV-18
- - - - -

January 15, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Paul Rodriguez appeals from the district court's decision in favor of the Commissioner which denied supplemental security income benefits to Rodriguez. Rodriguez argues that the Commissioner's decision is not supported by substantial evidence and that the Commissioner failed to apply the correct legal standards.

The Commissioner applied the proper legal standards in

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

denying benefits to Rodriguez. See 20 C.F.R. § 404.1520 (1995); Leggett v. Chater, 67 F.3d 558, 563 n.2 (5th Cir. 1995).

Further, a review of the record reflects substantial evidence supporting the Commissioner's decision. See Ripley v. Chater, 67 F.3d 552, 555 (5th Cir. 1995). Therefore, Rodriguez failed to carry his burden of proving a disability to make him eligible for supplemental security income benefits. 42 U.S.C. § 423.

AFFIRMED.