

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-30337  
Summary Calendar

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LISA ODOM,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, Commissioner of Social Security,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Louisiana

(96-CV-1760-E)

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November 26, 1997

Before JOHNSON, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Lisa Odom appeals the summary judgment affirming the denial of her application for disability insurance benefits and Supplemental Security Income. Before this court, she argues only that the Administrative Law Judge erred by failing to determine whether she could obtain and maintain employment on a day-to-day basis.

Because Odom did not raise this issue before the Appeals Council, she did not exhaust her administrative remedies on this

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\* Pursuant to 5th CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR. R. 47.5.4.

issue. This court has jurisdiction to review the final decision of the Commissioner of Social Security on an issue only where the claimant has exhausted her administrative remedies for that issue. Paul v. Shalala, 29 F.3d 208, 210 (5th Cir. 1994). Odom's case presents no compelling reason to waive the exhaustion requirement. See Id. Consequently, we lack jurisdiction over Odom's appeal. Id.; see Giannakos v. M/V BRAVO TRADER, 762 F.2d 1295, 1297 (5th Cir. 1985) (court must examine the basis of its subject matter jurisdiction, on its own motion, if necessary).

APPEAL DISMISSED.