

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50793
Summary Calendar

GILBERTO RODRIGUEZ,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, COMMISSIONER
OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-96-CV-1058
- - - - -

August 28, 1998

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

Gilberto Rodriguez appeals from a judgment affirming the decision of the Commissioner of Social Security denying Rodriguez's claim for disability insurance benefits. He argues that the administrative law judge (ALJ) did not consider all of Rodriguez's impairments or their combined effect and that the ALJ's decision was not supported by substantial evidence in the record. He further argues that the ALJ erred in relying on the medical-vocational guidelines without eliciting testimony from the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

vocational expert present at the hearing.

Our review of the record reveals that the ALJ considered all of Rodriguez's impairments, including their combined effect, and that the ALJ's determination that Rodriguez could perform sedentary work was supported by substantial evidence. See Legget v. Chater, 67 F.3d 558, 564 (5th Cir. 1995). Rodriguez's ability to perform sedentary work, his age, his education, and his work experience matched the criteria set forth in the medical-vocational guidelines, see 20 C.F.R. Pt. 404, Subpt. P., App. 2, Table 1, Rule 201.19, and the ALJ did not err in relying on the guidelines without consideration of the vocational expert. See Scott v. Shalala, 30 F.3d 33, 34 (5th Cir. 1994).

AFFIRMED.