

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-60779  
Summary Calendar

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CRYSTAL LEE,

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 Southern District of Mississippi  
USDC No. 1:96-CV-280-RR

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April 5, 1999

Before POLITZ, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

Crytal Lee appeals the district court's judgment affirming the Commissioner's denial of her request for Supplemental Social Security Income and Disability Insurance Benefits on behalf of her minor daughter. We review the Commissioner's decision to determine whether the Commissioner applied the proper legal standards and whether the Commissioner's decision is supported by substantial evidence on the record as a whole. *E.g., Villa v. Sullivan*, 895

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

F.2d 1019, 1021-22 (5th Cir. 1990).

We lack jurisdiction to address Lee's contention that the ALJ failed to develop the record by ordering consultative orthopedic and psychological examinations, because Lee did not raise this issue at the administrative level. See *Paul v. Shalala*, 29 F.3d 208, 210 (5th Cir. 1994).

In addition, Lee contends that the Commissioner's decision is not supported by substantial evidence and that the ALJ applied an incorrect legal standard and should have considered whether the daughter's condition improved after the 8 January 1993 most recent favorable decision. Pursuant to our review of the record and the briefs, we conclude that there is no reversible error, essentially for the reasons adopted by the district court. See *Lee v. Callahan*, No. 1:96-CV-280-RR (S.D. Miss. Sept. 30, 1997).

**AFFIRMED**