

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41119
Summary Calendar

RONALD E. PATTERSON ET AL.,

Plaintiffs,

LOTTIE PATTERSON, acting on behalf of
Ronald E. Patterson, deceased; LOTTIE PATTERSON,

Plaintiffs-Appellants,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-95-CV-665
- - - - -

September 7, 1999

Before JONES, DUHE', and STEWART, Circuit Judges.

PER CURIAM:*

Lottie Anderson, widow of Ronald E. Patterson, appeals the district court's judgment affirming the Commissioner's decision denying her husband's request for Disability Insurance Benefits and Supplemental Security Income pursuant to 42 U.S.C. § 405. We review the Commissioner's decision to determine whether the decision is supported by substantial evidence in the record and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

whether the Commissioner applied the proper legal standards in evaluating the evidence. *Ripley v. Chater*, 67 F.3d 552, 555 (5th Cir. 1995).

Patterson makes the following arguments: 1) the Commissioner's failure to file all exhibits with the record violated her due process; 2) the Administrative Law Judge's (ALJ) conclusion that Patterson did not meet the listing of impairments for diabetes mellitus is not supported by substantial evidence; 3) the ALJ failed to consider whether Patterson's death was caused by diabetes mellitus; 4) the ALJ did not properly credit Patterson's complaints of disabling pain; 5) the ALJ mistakenly determined that Patterson was not disabled through the date of the ALJ's decision; 6) the ALJ's finding that Patterson could perform light duty work is not supported by substantial evidence; 7) the ALJ's conclusion that Patterson could perform a significant number of jobs in the national economy is not supported by substantial evidence.

We have reviewed the record and the parties' briefs, and we find that the Commissioner applied proper legal standards and the decision is supported by substantial evidence. Accordingly, the district court's order is AFFIRMED.

AFFIRMED.