

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50535
Summary Calendar

SHARON SHORT,

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-733
- - - - -

July 19, 1999

Before EMILIO M. GARZA, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Sharon Short appeals the district court's affirmance of the Social Security Commissioner's decision to deny her Social Security disability benefits. She argues that the administrative law judge (ALJ) erred with respect to the weight accorded Short's treating physician, failed to pose a complete hypothetical to the vocational expert, and failed to articulate the standard to evaluate her subjective complaints of pain and reasoning underlying his credibility determination did not properly

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

consider the report of the psychologist who conducted one of the psychiatric evaluations.

We review the ALJ's decision to deny benefits by determining (1) whether the ALJ applied the correct legal standards, and (2) whether his decision is supported by substantial evidence. Falco v. Shalala, 27 F.3d 160, 162 (5th Cir. 1994). Our review of the record reveals that the ALJ applied the correct legal standards, and his decision was based upon substantial evidence. Ripley v. Chater, 67 F.3d 552, 556 (5th Cir. 1995). To the extent that the ALJ's findings conflicted with the treating physician's opinions, good cause had been shown for according less weight to the treating physician's opinion. The ALJ incorporated all the restrictions reasonably recognized by the ALJ and thus could rely upon the testimony and conclusions of the vocational expert. Bowling v. Shalala, 36 F.3d 431, 436 (5th Cir. 1994). The district court therefore properly affirmed the Commissioner's decision to deny Short Social Security benefits.

AFFIRMED.