

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60147
Summary Calendar

SUZANNE WALKER,

Plaintiff-Appellant,

versus

KENNETH S. APFEL, Commissioner
of Social Security,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:96-CV-206-BS

April 15, 1999

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Suzanne Walker appeals from the district court's judgment affirming the denial of her application for disability insurance benefits. She argues that substantial evidence did not exist to support the finding that she was not disabled, that the administrative law judge erred by failing to comply with Social Security Ruling 96-8p, and that the administrative law judge failed to provide a rationale for the conclusions reached in the psychiatric review technique form. The administrative law judge

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

applied the proper legal standard in evaluating Walker's disability claim, and the decision that Walker was not disabled is supported by substantial evidence on the record as a whole. See Muse v. Sullivan, 925 F.2d 785, 789 (5th Cir. 1991); Anthony v. Sullivan, 954 F.2d 289, 292 (5th Cir. 1992). This court lacks jurisdiction to review Walker's claims that the administrative law judge failed to comply with Social Security Ruling 96-8p and failed to provide a rationale for the conclusions reached in the psychiatric review technique form because these issues were not raised before the Appeals Council. See Paul v. Shalala, 29 F.3d 208, 210 (5th Cir. 1994). Finally, the court did not consider Walker's claim that the determination that alternate jobs existed in significant numbers in both the local and national economies was not supported by substantial evidence because the issue was raised for the first time in Walker's reply brief. See United States v. Prince, 868 F.2d 1379, 1386 (5th Cir. 1989). Accordingly, the judgment of the district court is

A F F I R M E D.