

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

September 24, 2007

Charles R. Fulbruge III
Clerk

No. 07-50447
Summary Calendar

JOHN FLACZYNSKI,

Plaintiff-Appellant

v.

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY,

Defendant-Appellee

Appeal from the United States District Court
for the Western District of Texas
(1:06-CV-194)

Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant John Flaczynski appeals the decision of the district court affirming the finding of the Administrative Law Judge (ALJ) that Flaczynski is able to perform work for such sedentary level jobs as maintenance scheduler, telephone quotation clerk, and optical assembler, for which there are a substantial number of available jobs in the state and national economy. Based on those findings, the ALJ ruled that Flaczynski is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

not disabled within the meaning of the Social Security Act. In the course of the deliberations at that level, the ALJ found Flaczynski not credible. The Appeals Council denied review, after which Flaczynski sought review in the district court pursuant to 42 U.S.C. § 405(g). The district court affirmed the ALJ, and Flaczynski timely filed a notice of appeal.

We have carefully reviewed the entire record on appeal, including the determinations of the ALJ and the district court, and the law as set forth in the appellate briefs of the parties and determined by our independent research.

Considering the well-known standard of appellate review of cases such as this, i.e., whether substantial evidence in the record viewed in its entirety supports the decision of the Commissioner and comports with relevant legal standards, we are convinced that neither the ALJ nor the district court committed reversible error in ruling for the Commissioner and against Flaczynski on the issues properly preserved for appellate review. Accordingly, the judgment of the district court affirming the ALJ and the Commissioner is, in all respects,

AFFIRMED.