

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 19-10664
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 8, 2019

Lyle W. Cayce
Clerk

DEBORAH L. HUGHES,

Plaintiff - Appellant

v.

ANDREW M. SAUL, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:18-CV-87

Before SMITH, DENNIS, and DUNCAN, Circuit Judges.

PER CURIAM:*

Plaintiff Deborah Hughes filed this action under 42 U.S.C. § 405(g) seeking judicial review of the unfavorable decision by the Commissioner of the Social Security Administration (“Commissioner”) regarding her application for disability insurance benefits (“DIB”) under Title II of the Social Security Act (“SSA”) and application for supplemental security income (“SSI”) under Title

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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XVI of the SSA. Hughes argued that at her hearing before the administrative law judge (“ALJ”), the hypothetical question the ALJ posed to the vocational expert (“VE”) was defective and constitutes reversible error. She also argued that the ALJ erred in failing to determine whether she was able to maintain employment. The magistrate judge¹ affirmed the Commissioner’s decision.

We have carefully reviewed the briefs, the applicable law, and the relevant portions of the record. We AFFIRM the judgment for the reasons explained in the magistrate judge’s order.

¹ The parties consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c); FED. R. CIV. P. 73(a).