

United States Court of Appeals
Fifth Circuit

FILED

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

March 4, 2004

Charles R. Fulbruge III
Clerk

No. 03-10758
Summary Calendar

KIME-YA I. TROUPE,

Plaintiff-Appellant,

versus

JO ANNE B. BARNHART, COMMISSIONER OF
SOCIAL SECURITY,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:00-CV-2565-L

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

PER CURIAM:*

Kime-Ya I. Troupe appeals the district court's decision affirming the determination by the Commissioner of Social Security that she is not disabled within the meaning of the Social Security Act. Troupe argues that the administrative law judge's determination that she was not disabled is based on errors of law

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 R. 47.5 the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and is not supported by the evidence.

Having reviewed the record and briefs on appeal, we conclude that the administrative law judge applied the correct legal standards in determining whether Troupe was disabled, and the administrative law judge's decision is supported by substantial evidence. See *Watson v. Barnhart*, 288 F.3d 212, 215 (5th Cir. 2002). The administrative law judge adequately developed the record, and did not violate plaintiff's rights to a fair hearing. As plaintiff, after being informed of her rights, elected in writing to proceed at the hearing without a representative and never thereafter requested that her mother be allowed to serve as her representative, the administrative law judge did not err in excluding plaintiff's mother from the hearing except when she (the mother) testified.

The judgment of the district court is

AFFIRMED.