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6-10-2002

Roman v. Comm Social Security

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 01-4252

JANE ROMAN,
Appellant

v.

COMMISSIONER OF SOCIAL SECURITY

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(D.C. Civ. No. 00-cv-01244)
District Judge: Honorable Dickinson R. Debevoise

Submitted Under Third Circuit L.A.R. 34.1(a)
June 5, 2002
Before: SCIRICA, BARRY, and WEIS, Circuit Judges.
(Filed: June 10, 2002)

OPINION

WEIS, Circuit Judge.

Claimant Jane Roman was twenty-eight years of age when she sustained personal injuries in a June 1992 automobile accident. She has not been steadily employed since that time.

Claimant had three surgical procedures to her left shoulder, the last of which took place in 1994. The chief residuals from the accident are an impairment to her left shoulder, occasional numbness of the left hand, headaches, and cervical spasms. Roman is left-handed.

Claimant has a tenth grade education and has two children whom she is raising with the assistance of her mother and ex-husband. She was formerly employed as a fleet service clerk at John F. Kennedy Airport in New York. This job involved loading and unloading airplanes.

After a hearing, an ALJ found that Roman was unable to return to her former employment. He also found that she would probably be unable to return to her earlier position of file clerk because of her inability to reach high drawers.

The ALJ determined, however, that claimant had the capacity to perform light work. In addition to consulting the grids, the ALJ heard testimony from a vocational expert who said that the claimant could work as a courier or mail sorter and was able to do general office clerical work. The Appeals Council affirmed the ALJ's decision and claimant then filed an appeal to the District Court.

The District Court reviewed the record in this case in great detail and we see no need to duplicate its efforts. We agree that the claimant has not demonstrated legal error in the Social Security agency proceeding. We further agree with the District Court that there was substantial evidence to support the decision that the claimant is not disabled for Social Security purposes.

Accordingly, the judgment of the District Court will be affirmed.

TO THE CLERK:

Please file the foregoing Opinion.

/s/Joseph F. Weis, Jr.

United States Circuit Judge