

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

**United States Court of Appeals
For the First Circuit**

No. 00-1851

JOSE A. TORRES,
Plaintiff, Appellant,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

[Hon. Carmen Consuelo Cerezo, U.S. District Judge]

Before

Lipez, Circuit Judge,
Campbell and Cyr, Senior Circuit Judges.

Melba N. Rivera-Camacho on brief for appellant.
Guillermo Gil, United States Attorney, Lilliam Mendoza Toro,
Assistant U.S. Attorney, and Robert J. Triba, Chief Counsel,
Social Security Administration, on brief for appellee.

March 22, 2001

Per Curiam. After carefully reviewing the briefs and record below, we affirm the Commissioner's decision.

The appellant raises issues on appeal that either pertain only to the district court's decision or were not argued before the district court. We will not consider such issues. Manso-Pizarro v. Secretary of Health and Human Services, 76 F.3d 15, 16 (1st Cir. 1996)(the decision will be upheld unless the Commissioner committed legal or factual error); Groves v. Apfel, 148 F.3d 809, 811 (7th Cir. 1998)(district court error is irrelevant); Evangelista v. Secretary of Health and Human Services, 826 F.2d 136, 144 (1st Cir. 1987)(argument not raised in district court is forfeited).

There was no inconsistency or error in the findings concerning the appellant's ability to perform light work or the application of the Medical-Vocational Guidelines ("Grid"). The ALJ found that the appellant retained the strength needed to perform light work. 20 C.F.R. § 404.1567. Although the appellant exhibited certain nonexertional limitations, since the ALJ found that the limitations did not significantly compromise his ability to

perform the full range of light work, no vocational expert was required. Ortiz v. Secretary of Health and Human Services, 890 F.2d 520, 524-25 (1st Cir. 1989 (*per curiam*)).

The ALJ's findings concerning the appellant's pain and psychological status were supported by substantial evidence. There may have been some contrary evidence, but the record as a whole was adequate to support the findings. Ward v. Commissioner of Social Security, 211 F.3d 652, 655 (1st Cir. 2000); Rodriguez v. Secretary of Health and Human Services, 647 F.2d 218, 222 (1st Cir. 1981).

Affirmed. Loc. R. 27(c).