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United States Court of Appeals For the First Circuit

No. 04-1330

GLORIA RODRIGUEZ,
Plaintiff, Appellant,
v.

JO ANNE BARNHART,
COMMISSIONER OF SOCIAL SECURITY,
Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO
[Hon. Daniel R. Domínguez, U.S. District Judge]

Before
Selya, Lynch and Lipez,
Circuit Judges.

Salvador Medina de la Cruz on brief for appellant.
H.S. Garcia, United States Attorney, Lisa E. Bhatia, Assistant
U.S. Attorney, Robert J. Triba, Regional Chief Counsel, and Lisa G.
Smoller, Assistant Regional Counsel, on brief for appellee.

September 21, 2004

Per Curiam. After carefully considering the record and briefs on appeal, we affirm the judgment.

The appellant essentially argues that the ALJ should have consulted a vocational expert before concluding that she was not disabled, given her mental impairment. Under Ortiz v. Sec'y. Health and Human Services, 890 F.2d 520, 526 (1st Cir. 1989), however, the ALJ could rely on the Grid alone if her mental limitations were adequately accommodated by relegating her to unskilled work. Given the record, the ALJ could reasonably conclude that she could perform unskilled work. See Rodriguez v. Sec'y. of Health and Human Servs., 647 F.2d 218, 222 (1st Cir. 1981).

Affirmed. 1st Cir. Rule 27(c).