

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

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

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No. 99-2338

IRMA DONES-VAZQUEZ,  
Plaintiff, Appellant,

v.

COMMISSIONER OF SOCIAL SECURITY,  
Defendant, Appellee.

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

[Hon. Juan M. Perez-Gimenez, U.S. District Judge]

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Before

Selya, Circuit Judge,  
Campbell, Senior Circuit Judge,  
and Boudin, Circuit Judge.

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Melba N. Rivera-Camacho on brief for appellant.  
Guillermo Gil, United States Attorney, Lilliam E. Mendoza  
Toro, Assistant United States Attorney, and Nancy B. Salafia,  
Assistant Regional Counsel, Social Security Administration, on  
brief for appellee.

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October 13, 2000

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Per Curiam. After carefully reviewing the briefs and record on appeal, we affirm the Commissioner's decision. The administrative law judge (ALJ) was not obligated to give controlling weight to the treating psychiatrist's opinion, inasmuch as the record contained conflicting evidence. See 20 C.F.R. § 404.1527(d)(2). Moreover, the ALJ's finding of adequate mental status was supported by substantial evidence. No more was exigible, though a contrary conclusion might also have been reasonable. See, e.g., Manso-Pizarro v. Secretary of Health and Human Services, 76 F.3d 15 (1<sup>st</sup> Cir. 1996); Perez v. Secretary of Health and Human Services, 958 F.2d 445 (1<sup>st</sup> Cir. 1991); Irlanda Ortiz v. Secretary of Health and Human Services, 955 F.2d 765 (1<sup>st</sup> Cir. 1991).

We add that the medical expert properly considered whether the appellant's obesity qualified as a listed condition, but concluded that it did not. The appellant's weight fell twenty-six pounds shy of the requirement. The appellant also fails to make a plausible argument that her combination of impairments equaled a listed condition. The medical expert found no severe limitation in the range of

motion in her hips and knees, her weight was under the listed minimum, and the ALJ reasonably concluded that her mental status was not markedly limited. We need go no further.

Affirmed. See Loc. R. 27 (c).