

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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No. 05-5145

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

LILLIE M. FETTERS,)	
)	
Plaintiff-Appellant,)	
)	
v.)	ON APPEAL FROM THE UNITED
)	STATES DISTRICT COURT FOR THE
COMMISSIONER OF SOCIAL SECURITY,)	EASTERN DISTRICT OF KENTUCKY
)	
Defendant-Appellee.)	

BEFORE: MOORE, ROGERS, and MCKEAGUE, Circuit Judges.

ROGERS, Circuit Judge. Plaintiff Lillie M. Fetters appeals the district court's decision affirming the Commissioner of Social Security's denial of Fetters's application for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act. After reviewing the record, the parties' briefs, and the applicable law, this court determines that no jurisprudential purpose would be served by a panel opinion and affirms the district court's decision for the reasons stated in Judge Wilhoit's October, 2004, order. In addition, Fetters's argument that the Commissioner should have used the Medical-Vocational Guidelines (Grids) to find her disabled is without merit. Use of the Grids is not required at step four of the five-step sequential process prescribed by 20 C.F.R. § 404.1520 for evaluating disabilities. *See Smith v. Sec. of Health & Human Servs.*, 893 F.2d 106, 110 (6th Cir. 1989) (stating that the Grids were

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inapplicable to the claimant's case because the ALJ had found that the claimant could perform her past relevant work and thus was not disabled). The district court properly granted summary judgment for the Commissioner. Its judgment is therefore **AFFIRMED**.