

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1703

JOE NESBITT,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore. William G. Connelly, Magistrate Judge. (CA-99-2217-WMN)

Submitted: October 12, 2000

Decided: October 18, 2000

Before WILLIAMS and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Joe Nesbitt, Appellant Pro Se. Lynne Ann Battaglia, United States Attorney, Allen F. Loucks, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Joe Nesbitt appeals from the magistrate judge's order denying relief on his petition for review of the Social Security Administration's decision affirming an administrative law judge's denial of Disability Insurance Benefits and Supplemental Security Income.* Our review of the record discloses that the administrative law judge's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the magistrate judge. See Nesbitt v. Apfel, No. CA-99-2217-WMN (D. Md. Mar. 30, 2000). Nesbitt's motion for appointment of counsel is denied. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

* The parties consented to have the case tried before a magistrate judge pursuant to 28 U.S.C. § 636(c) (1994).