

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-1362**

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PALMER BALTHIS,

Plaintiff - Appellant,

versus

LARRY G. MASSANARI, ACTING COMMISSIONER OF  
SOCIAL SECURITY ADMINISTRATION,

Defendant - Appellee.

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Appeal from the United States District Court for the Western  
District of Virginia, at Big Stone Gap. James P. Jones, District  
Judge. (CA-00-34-2)

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Submitted: September 10, 2001

Decided: September 21, 2001

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Before WILLIAMS, TRAXLER, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Roger W. Rutherford, Erick A. Bowman, WOLFE & FARMER, Norton, Vir-  
ginia, for Appellant. James A. Winn, Regional Chief Counsel, Region  
III, Patricia M. Smith, Deputy Chief Counsel, Taryn Goldstein,  
Assistant Regional Counsel, Office of the General Counsel, SOCIAL  
SECURITY ADMINISTRATION, Philadelphia, Pennsylvania; Ruth E.  
Plagenhoef, United States Attorney, John F. Corcoran, Assistant  
United States Attorney, UNITED STATES ATTORNEY'S OFFICE, Roanoke,  
Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Palmer Balthis appeals the district court's order granting summary judgment in favor of the Commissioner of Social Security in Balthis's action for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C.A. §§ 401-433 (West Supp. 2001). Balthis worked in the coal mining industry until June 21, 1996, when he stopped working because of heart problems, back pain and hearing loss. This court must uphold the denial of benefits if the decision is supported by substantial evidence and the correct legal standard was applied. See 42 U.S.C.A. § 405(g); Craig v. Chater, 76 F.3d 585, 589 (4th Cir. 1996). We have reviewed the entire administrative record, including additional evidence submitted to the Appeals Council, and find substantial evidence supports the Administrative Law Judge's determination that Balthis was able to return to his past relevant work. Therefore, we affirm on the reasoning of the district court. Balthis v. Massanari, No. CA-00-34-2 (W.D. Va. Feb. 14, 2001). 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