

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1770

ARCHIE T. BOONE,

Plaintiff - Appellant,

versus

WILLIAM A. HALTER, Acting Commissioner of
Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the Middle Dis-
trict of North Carolina, at Durham. N. Carlton Tilley, Jr., Chief
District Judge. (CA-99-857-1)

Submitted: December 27, 2001

Decided: January 15, 2002

Before WIDENER and WILKINS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael B. Sosna, PERRY, ANTHONY & SOSNA, Rocky Mount, North
Carolina, for Appellant. Benjamin H. White, United States Attorn-
ey, Stuart E. Schiffer, Acting Assistant Attorney General, Mary Ann
Sloan, Regional Chief Counsel, Dennis R. Williams, Deputy Regional
Chief Counsel, Nadine DeLuca Elder, Assistant Regional Counsel,
Brian C. Huberty, Assistant Regional Counsel, Office of the General
Counsel, SOCIAL SECURITY ADMINISTRATION, Atlanta, Georgia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Archie T. Boone appeals the district court's order upholding the denial of his application for disability benefits and supplemental security income. We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. The ALJ did not abrogate his duty to advise Boone of the availability of representation.* Nor did the ALJ fail to assist Boone, a pro se claimant, in developing the record. Finally, substantial evidence supports the Commissioner's decision. Accordingly, we affirm on the reasoning of the district court. See Boone v. Halter, No. CA-99-857-1 (M.D.N.C. Apr. 26, 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

* To the extent that the Commissioner failed to follow procedures set forth in his Hearings, Appeals and Litigation Law Manual, we find that Boone failed to show prejudice resulting from rigorous adherence to those procedures.