

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-2426**

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ROBERT EDWARD THORNTON, JR.,

Plaintiff - Appellant,

versus

SUSAN KING MARTIN, Social Security Admin-  
istration; JANE L. WARREN, Social Security  
Administration; D. F. BILLET, Administrative  
Law Judge,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Greenville. Cameron McGowan Currie, District  
Judge. (CA-01-2388-6-22BC)

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Submitted: January 28, 2002

Decided: February 7, 2002

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Before NIEMEYER, LUTTIG, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert Edward Thornton, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Robert Edward Thornton, Jr., seeks to appeal the district court's order dismissing his civil action alleging that the Appellees improperly handled his social security case. Finding no reversible error, we affirm.

We find that the action is most properly construed as one under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). As noted by the district court, Thornton does not specify any claim against the Appellees other than that they improperly handled his application for social security benefits and improperly evaluated him. Even if we liberally construe his complaint to allege due process violations, we find that Thornton fails to state a claim upon which relief may be granted under Bivens. See Schweiker v. Chilicky, 487 U.S. 412, 428-29 (1988).

Accordingly, we affirm the district court's order. 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