

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1362**

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JERRY L. SHINABERRY,

Plaintiff - Appellant,

v.

SOCIAL SECURITY, Commissioner,

Defendant - Appellee.

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Appeal from the United States District Court for the Northern  
District of West Virginia, at Clarksburg. Irene M. Keeley, Chief  
District Judge. (1:07-cv-00028-IMK-JSK)

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Submitted: August 18, 2008

Decided: September 12, 2008

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Before MICHAEL, TRAXLER, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Jerry L. Shinaberry, Appellant Pro Se. Helen Campbell Altmeyer,  
Assistant United States Attorney, Wheeling, West Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jerry L. Shinaberry appeals the district court's order accepting the recommendation of the magistrate judge and finding that substantial evidence supports the Commissioner's decision that Shinaberry is not entitled to disability insurance benefits. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Shinaberry v. Commissioner, No. 1:07-cv-00028-IMK-JSK (N.D. W. Va. Mar. 7, 2008). 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