

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-2600**

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MARY R. WILLIAMSON,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Paul Trevor Sharp, Magistrate Judge. (CA-96-735-2)

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Submitted: May 29, 1998

Decided: June 22, 1998

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Before HAMILTON and MICHAEL, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Tomi W. Bryan, Lisa W. Bullard, BRYAN, BULLARD & HOUGLAN, P.C., Greensboro, North Carolina, for Appellant. Walter C. Holton, Jr., United States Attorney, Gill P. Beck, Assistant United States Attorney, Arthur J. Fried, General Counsel, Charlotte Hardnett, Principal Deputy General Counsel, John M. Sacchetti, Acting Associate General Counsel, Meeka M. Savage, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mary Williamson appeals from the magistrate judge's\* order granting the Commissioner's motion for summary judgment and affirming the Commissioner's denial of social security benefits.

We review the denial of social security benefits to determine whether the Commissioner has applied the correct legal standards and whether the findings are supported by substantial evidence. See *Hays v. Sullivan*, 907 F.2d 1453, 1456 (4th Cir. 1990). Substantial evidence is defined as "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." See *Richardson v. Perales*, 402 U.S. 389, 401 (1971). Although substantial evidence is greater than a mere scintilla, it may be less than a preponderance. See *Shively v. Heckler*, 739 F.2d 987, 989 (4th Cir. 1984).

We have reviewed Williamson's assertions and allegations of error under this standard and conclude that the magistrate judge's entry of judgment in favor of the Commissioner was proper. Accordingly, we affirm. 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

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\* The parties consented to the jurisdiction of the magistrate judge under 28 U.S.C. S 636(c) (1994).