

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2811

PETER J. DI LAURO,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, Commissioner of Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Terrence W. Boyle, Chief District Judge. (CA-97-90-4-BO)

Submitted: July 27, 1999

Decided: August 19, 1999

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

Affirmed by unpublished per curiam opinion.

Peter J. Di Lauro, Appellant Pro Se. Barbara Dickerson Kocher, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Peter J. Di Lauro appeals the district court's order accepting the magistrate judge's report and recommendation and granting summary judgment in favor of the Commissioner in this action challenging the Commissioner's decision denying Di Lauro's application for disability insurance benefits. We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Di Lauro v. Apfel, No. CA-97-90-4-BO (E.D.N.C. Sept. 29, 1998). 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