

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-2048**

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DANNY R. CURRY,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Charles H. Haden II, Chief District Judge. (CA-98-422-2)

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Submitted: December 14, 1999

Decided: January 5, 2000

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Before NIEMEYER, LUTTIG, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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William Stewart Thompson, COOK & COOK, Madison, West Virginia, for Appellant. James A. Winn, Regional Chief Counsel, Eda L. Giusti, Assistant Regional Counsel, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Philadelphia, Pennsylvania; Rebecca A. Betts, United States Attorney, Kelly R. Curry, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Danny R. Curry appeals the district court's order affirming the Commissioner's decision to deny disability benefits. We have reviewed the joint appendix, administrative record, and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court. See Curry v. Apfel, No. CA-98-422-2 (S.D.W. Va. July 1, 1999). In addition, we note that it was not error to rely on the comparative qualifications of those who evaluated Curry's I.Q. and give greater weight to the opinions of medical personnel with superior credentials. See Long v. Bowen, 866 F.2d 1066, 1067 (8th Cir. 1989). 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