

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2265

HAROLD W. HODGES,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Glen E. Conrad, Magistrate Judge. (CA-99-4-7)

Submitted: January 20, 2000

Decided: January 28, 2000

Before WILLIAMS, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charles Bennett, Jr., Roanoke, Virginia, for Appellant. James A. Winn, Regional Chief Counsel, Patricia M. Smith, Deputy Regional Chief Counsel, Andrew Lynch, Assistant Regional Counsel, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Philadelphia, Pennsylvania; Robert P. Crouch, Jr., United States Attorney, John F. Corcoran, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Harold W. Hodges appeals from a magistrate judge's decision affirming an administrative law judge's conclusion that Hodges is not entitled to Social Security disability benefits.* We affirm.

Hodges suffers from a spinal condition that causes pain in his lower back and his legs. The administrative law judge ("ALJ") found that this condition did not limit Hodges to the extent he alleged. Hodges challenges this finding, but the record contains substantial evidence to support it. See Craig v. Chater, 76 F.3d 585, 591 (4th Cir. 1996).

Hodges also contends that, even if the ALJ was correct in evaluating Hodges's disability, there is not a significant number of jobs available to him. Hodges asserts that he qualifies for no more than 153 jobs. That number suffices to defeat Hodges's claim for disability benefits. See Hicks v. Califano, 600 F.2d 1048, 1051 n.2 (4th Cir. 1979).

For these reasons, we affirm the decision of the magistrate judge. 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

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