

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2562

GLENN A. CRITCHFIELD,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, Commissioner of Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Jerry D. Hogg, Magistrate Judge. (CA-98-405)

Submitted: April 28, 2000

Decided: September 12, 2000

Before MURNAGHAN* and NIEMEYER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Don M. Stacy, Beckley, West Virginia, for Petitioner. John M. Sacchetti, Regional Chief Counsel, Patricia M. Smith, Deputy Chief

* Judge Murnaghan participated in the consideration of this case but died prior to the time the decision was filed. The decision is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Counsel, Margaret J. Krecke, Assistant Regional Counsel, Philadelphia, Pennsylvania; Rebecca A. Betts, United States Attorney, Kelly R. Curry, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

The claimant, Glenn Critchfield, appeals from the magistrate judge's order upholding the Commissioner of Social Security's denial of Critchfield's claim for disability insurance benefits. We have reviewed the record and the magistrate judge's opinion and find no reversible error.* Accordingly, we affirm on the reasoning of the magistrate judge. See Critchfield v. Apfel, No. CA-98-405 (S.D.W. Va. Oct. 21, 1999). 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 the jurisdiction of the magistrate judge pursuant to 28 U.S.C. § 636(c) (1994).