

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-2024**

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AMY R. MOUNTS VARNEY, on behalf of Bobby B.  
Mounts (deceased),

Plaintiff - Appellant,

versus

JO ANNE BARNHART, 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. Joseph Robert Goodwin,  
District Judge. (CA-02-134)

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Submitted: March 31, 2004

Decided: May 12, 2004

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Before MOTZ, TRAXLER, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Wolodymyr Cybriwsky, Prestonsburg, Kentucky, for Appellant. James  
A. Winn, Regional Chief Counsel, Eric P. Kressman, Supervisory  
Attorney, Robert W. Kosman, Assistant Regional Counsel,  
Philadelphia, Pennsylvania; Kasey Warner, 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Unpublished opinions are not binding precedent in this circuit.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:

Amy R. Mounts Varney\* appeals the district court's order adopting the recommendation of the magistrate judge to uphold the Commissioner's denial of disability insurance benefits. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Varney v. Barnhart, No. CA-02-134 (S.D.W. Va. June 23, 2003). 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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\*Varney initiated this action on behalf of her deceased father, Bobby B. Mounts, after the Commissioner denied Mounts' claim for disability insurance benefits.