

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2042

MICHAEL BONNER,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, COMMISSIONER OF SOCIAL
SECURITY,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. Rebecca B. Smith, District Judge.
(CA-97-687-2)

Submitted: January 26, 1999

Decided: February 17, 1999

Before LUTTIG and MICHAEL, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael Bonner, Appellant Pro Se. Shawn C. Carver, SOCIAL SECURITY
ADMINISTRATION, Philadelphia, Pennsylvania, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael Bonner appeals the district court's order dismissing his action seeking 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 Bonner v. Apfel, No. CA-97-687-2 (E.D. Va. May 15, 1998). We note, however, to the extent that Bonner alleges that his degenerative disk disease has worsened since September 29, 1995, he must file a new application for benefits. See 20 C.F.R. § 404.620(a)(2) (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