

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-2417**

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WILLIAM G. PARKS,

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 Dis-  
trict of West Virginia, at Beckley. Mary S. Feinberg, Magistrate  
Judge. (CA-97-900-5)

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Submitted: April 6, 1999

Decided: April 23, 1999

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Before LUTTIG, MICHAEL, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Carmen S. Rasmussen, Sophia, West Virginia, for Appellant. James  
A. Winn, Chief Counsel, Region III, Patricia M. Smith, Deputy Chief  
Counsel, Connie Hoffman-Healey, Assistant Regional Counsel, Office  
of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Phila-  
delphia, Pennsylvania; Rebecca A. Betts, United States Attorney,  
Stephen M. Horn, 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Unpublished opinions are not binding precedent in this circuit.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:

William Parks appeals the magistrate judge's order granting the Commissioner's motion for summary judgment in this action seeking disability 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 Parks v. Apfel, No. CA-97-900-5 (S.D.W. Va., Aug. 21, 1998). Because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process, we dispense with oral argument and grant Parks' motion to submit this appeal on the briefs.

AFFIRMED

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\* The parties consented to the jurisdiction of the magistrate judge pursuant to 28 U.S.C. § 636(b)(2) (1994).