

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-2265**

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JAMES P. MAYER,

Plaintiff - Appellant,

versus

SOCIAL SECURITY ADMINISTRATION,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Louise W. Flanagan, Chief District Judge. (7:06-cv-00054-FL)

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Submitted: April 30, 2007

Decided: May 22, 2007

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Before TRAXLER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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James P. Mayer, Appellant Pro Se. Marian Ashley Harder, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James P. Mayer appeals the district court's order granting the Commissioner's motion to dismiss Mayer's action for disability insurance benefits and Supplemental Security Income payments. Mayer's application was dismissed because a previous final decision concerning Mayer's entitlement to benefits on the same facts and on the same issues had been entered. See 20 C.F.R. § 404.957(c) (2005). A district court has no jurisdiction to review the Commissioner's res judicata decisions unless the claimant has raised a colorable claim of a constitutional violation. Califano v. Sanders, 430 U.S. 99 (1977). Mayer has raised no such claim. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. See Mayer v. Barnhart, No. 7:06-cv-00054-FL (E.D.N.C. Nov. 15, 2006). We also deny Mayer's motion for monthly benefit payments.

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