

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1961

ALAN O'DONNELL,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Dennis L. Howell, Magistrate Judge. (1:07-cv-00195-DLH)

Submitted: May 19, 2009

Decided: June 8, 2009

Before WILKINSON, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

V. Lamar Gudger, III, GUDGER & GUDGER, P.A., Asheville, North Carolina, for Appellant. Gretchen C. F. Shappert, United States Attorney, Washington, D.C., Rami M. Vanegas, Special Assistant United States Attorney, Boston, Massachusetts, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alan O'Donnell appeals the order of the magistrate judge granting summary judgment to the Commissioner in this action challenging the denial of disability insurance benefits. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the magistrate judge. O'Donnell v. Astrue, No. 1:07-cv-00195-DLH (W.D.N.C. June 23, 2008). 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