

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1542

SHIRLEY M. SLONE,

Plaintiff - Appellant,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Big Stone Gap. James P. Jones, District Judge. (2:10-cv-00018-JPJ-PMS)

Submitted: September 11, 2012 Decided: September 13, 2012

Before MOTZ, GREGORY, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Joseph E. Wolfe, Norton, Virginia, for Appellant. Nora Koch, Acting Regional Chief Counsel, Brian O'Donnell, Supervisory Attorney, Charles J. Kawas, Special Assistant United States Attorney, SOCIAL SECURITY ADMINISTRATION, Philadelphia, Pennsylvania; Timothy J. Heaphy, United States Attorney, Rick Mountcastle, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shirley M. Slone appeals the district court's order adopting the recommendation of the magistrate judge and upholding the Commissioner of Social Security's decision to deny her a period of disability insurance benefits. We have reviewed the record and affirm.

Our review of the Commissioner's disability determination is limited to evaluating whether the findings are supported by substantial evidence and whether the correct law was applied. See Johnson v. Barnhart, 434 F.3d 650, 653 (4th Cir. 2005) (per curiam) (citing 42 U.S.C.A. § 405(g) (2006)). "Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." Id. (internal quotation marks omitted). We do not reweigh evidence or make credibility determinations in evaluating whether a decision is supported by substantial evidence; "[w]here conflicting evidence allows reasonable minds to differ," we defer to the Commissioner's decision. Id.

According to Slone, the administrative law judge ("ALJ") improperly failed to find that Slone suffered from severe mental impairments, and improperly failed to base his residual functional capacity ("RFC") assessment on the combined effects of Slone's physical impairments. Our review of the record convinces us otherwise. None of Slone's treating

physicians opined that she suffered from a severe mental impairment, and the record amply supports the ALJ's conclusion that her mental infirmities did not significantly affect her ability to perform work-related tasks. The record likewise supports the ALJ's RFC assessment.

Accordingly, we affirm the judgment of the district court. 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