UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1698

REX HARRIS,

Plaintiff - Appellant,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant – Appellee,

and

KATHLEEN SEBELIUS, SECRETARY U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES,

Defendant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., Chief District Judge. (1:12-cv-00664-WO-JLW)

Submitted: November 24, 2015 Decided: December 7, 2015

Before KING, AGEE, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Rex Harris, Appellant Pro Se. Lisa G. Smoller, Special Assistant United States Attorney, Boston, Massachusetts, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rex Harris appeals the district court's order affirming the Commissioner's award of benefits on Harris' application for supplemental security income. Harris alleges that his prior applications should have been reopened and that the Commissioner owed him additional back payments. We have reviewed the record and find no reversible error.

"[N]either the Administrative Procedure Act nor 42 U.S.C. § 405(g) confers subject matter jurisdiction on federal courts to review the Secretary's refusal to reopen a prior determination." Hall v. Chater, 52 F.3d 518, 520 (4th Cir. 1995) (citing Califano v. Sanders, 430 U.S. 99, 102 (1977)); see also 20 C.F.R. § 416.1403(a)(5) (2015) (denial of request to reopen SSI determination not subject to judicial review). Any issue concerning the correct amount of back payments to which Harris may be entitled was not properly presented in district court. Moreover, there is no evidence in the record that Harris has exhausted his administrative remedies or that the Commissioner has issued a final decision on the matter of any back payments to which he may be entitled. See 42 U.S.C. § 405(g) (2012) (granting judicial review over final decision of Commissioner made after hearing). Accordingly, we affirm the district court's order and judgment. Harris v. Colvin, No. 1:12-cv-00664-WO-JLW (M.D.N.C. June 18, 2015). We dispense with

oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED