

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2181

DEREK N. JARVIS,

Plaintiff - Appellant,

v.

NANCY A. BERRYHILL, Acting Commissioner, Social Security Administration,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt.
Thomas M. DiGirolamo, Magistrate Judge. (8:15-cv-02226-TMD)

Submitted: August 29, 2017

Decided: September 27, 2017

Before GREGORY, Chief Judge, and WILKINSON and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derek N. Jarvis, Appellant Pro Se. Benjamin Blair Prevas, SOCIAL SECURITY
ADMINISTRATION, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derek N. Jarvis appeals the magistrate judge's order upholding the Commissioner's denial of Jarvis's applications for disability benefits and supplemental security income.* We review de novo a district court's decision on a motion for summary judgment. *Martin v. Lloyd*, 700 F.3d 132, 135 (4th Cir. 2012). In turn, a district court will affirm the Social Security Administration's disability determination when an administrative law judge ("ALJ") has applied the correct law and the ALJ's factual findings are supported by substantial evidence. *Monroe v. Colvin*, 826 F.3d 176, 186 (4th Cir. 2016). In conducting this deferential review, the court does "not conduct a *de novo* review of the evidence," *Smith v. Schweiker*, 795 F.2d 343, 345 (4th Cir. 1986), or undertake to reweigh conflicting evidence, make credibility determinations, or substitute its judgment for that of the Commissioner. *Hancock v. Astrue*, 667 F.3d 470, 472 (4th Cir. 2012). "The duty to resolve conflicts in the evidence rests with the ALJ, not with a reviewing court." *Smith v. Chater*, 99 F.3d 635, 638 (4th Cir. 1996).

We have reviewed the record and find no reversible error. The ALJ applied the correct legal standards in evaluating Jarvis's disability claim, and the ALJ's factual findings are supported by substantial evidence. Accordingly, we affirm the magistrate judge's order. *Jarvis v. Colvin*, No. 8:15-cv-02226-TMD (D. Md. Sept. 27, 2016). We also deny Jarvis's motion to transfer this appeal to the United States Court of Federal

* The parties consented to a final disposition by the magistrate judge, pursuant to 28 U.S.C. § 636(c) (2012). Therefore, it was proper for the magistrate judge to exercise full jurisdiction over the proceeding and to enter a final disposition.

Claims and deny as moot the Commissioner's motion to dismiss this appeal. 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