

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-2440**

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RONNIE T. SHELTON,

Plaintiff - Appellant,

v.

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

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at  
Harrisonburg. Michael F. Urbanski, Chief District Judge. (5:15-cv-00027-MFU-JCH)

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Submitted: July 25, 2017

Decided: August 15, 2017

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Before MOTZ, KING, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Ronnie T. Shelton, Appellant Pro Se. Evelyn Rose Marie Protano, SOCIAL SECURITY  
ADMINISTRATION, Philadelphia, Pennsylvania, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Ronnie T. Shelton filed a complaint in the district court seeking review of the Appeals Council's decision dismissing a subsequent application for disability insurance benefits on res judicata grounds. Shelton now appeals the district court's order dismissing his complaint without prejudice for lack of subject matter jurisdiction and the order denying his Fed. R. Civ. P. 59(e) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Shelton v. Berryhill*, No. 5:15-cv-00027-MFU-JCH (W.D. Va. Sept. 13, 2016 & Nov. 23, 2016). 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*