

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-1706**

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ISHTIAQ A. MALIK,

Plaintiff - Appellant,

v.

UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Rossie David Alston, Jr., District Judge. (1:20-cv-00091-RDA-TCB)

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Submitted: July 25, 2023

Decided: July 27, 2023

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Before WYNN and HEYTENS, Circuit Judges, and FLOYD, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Ishtiaq A. Malik, Appellant Pro Se. Dennis Carl Barghaan, Jr., Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ishtiaq A. Malik appeals the district court's order granting Defendant's motion for summary judgment in Malik's civil action seeking review of the dismissal of his request for an Administrative Law Judge (ALJ) hearing as untimely. We have reviewed the record and find no reversible error. Accordingly, affirm the district court's order. *Malik v. U.S. Dep't. of Health & Hum. Servs.*, No. 1:20-cv-00091-RDA-TCB (E.D. Va. June 1, 2022). We deny Malik's motion to appear in person. 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*