

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1946

SHERRY LEE HAGY,

Plaintiff - Appellant,

v.

COMMISSIONER FOR SOCIAL SECURITY ADMINISTRATION,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Abingdon. James P. Jones, Senior District Judge. (1:22-cv-00017-JPJ-PMS)

Submitted: March 21, 2025

Decided: March 26, 2025

Before KING, AGEE, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

ON BRIEF: Hugh F. O'Donnell, Norton, Virginia, for Appellant. Christopher R. Kavanaugh, United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia; Brian C. O'Donnell, Associate General Counsel, David N. Mervis, Special Assistant United States Attorney, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherry Lee Hagy appeals the district court's order accepting the recommendation of the magistrate judge and upholding the Administrative Law Judge's (ALJ) denial of Hagy's application for disability insurance benefits. "In social security proceedings, a court of appeals applies the same standard of review as does the district court. That is, a reviewing court must uphold the determination when an ALJ has applied correct legal standards and the ALJ's factual findings are supported by substantial evidence." *Brown v. Comm'r Soc. Sec. Admin.*, 873 F.3d 251, 267 (4th Cir. 2017) (citation and internal quotation marks omitted). "Substantial evidence is that which a reasonable mind might accept as adequate to support a conclusion. It consists of more than a mere scintilla of evidence but may be less than a preponderance." *Pearson v. Colvin*, 810 F.3d 204, 207 (4th Cir. 2015) (citation and internal quotation marks omitted). "In reviewing for substantial evidence, we do not undertake to reweigh conflicting evidence, make credibility determinations, or substitute our judgment for that of the ALJ. Where conflicting evidence allows reasonable minds to differ as to whether a claimant is disabled, the responsibility for that decision falls on the ALJ." *Hancock v. Astrue*, 667 F.3d 470, 472 (4th Cir. 2012) (brackets, citation, and internal quotation marks omitted).

We have reviewed the record and perceive no reversible error. The ALJ's decision comported with the law of this circuit, including our decision in *Shelley C. v. Comm'r of Soc. Sec. Admin.*, 61 F.4th 341 (4th Cir. 2023), and the ALJ's factual findings are supported by substantial evidence. The ALJ considered all the evidence when evaluating Hagy's claim for benefits, and the record does not reflect that he improperly cherry-picked or

mischaracterized the evidence in denying her claim. And the ALJ did not abuse his discretion by declining to order a consultative examination regarding Hagy's mental impairments, as the record was sufficiently developed to allow the ALJ to render a decision on Hagy's claims. *See* 20 C.F.R. § 404.1519a(b) (2024).

Accordingly, we affirm the district court's judgment upholding the denial of benefits. *Hagy v. Comm'r for Soc. Sec. Admin.*, No. 1:22-cv-00017-JPJ-PMS (W.D. Va. July 13, 2023). 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