

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2174

TRAVIS BUNDAY,

Plaintiff - Appellant,

v.

FRANK BISIGNANO, Commissioner of the Social Security Administration,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Raymond A. Jackson, Senior District Judge. (2:24-cv-00131-RAJ-DEM)

Submitted: August 6, 2025

Decided: October 9, 2025

Before AGEE, WYNN, and BENJAMIN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

ON BRIEF: Barrett R. Richardson, RICHARDSON & ROSENBERG, LLC, Portsmouth, Virginia, for Appellant. Erik S. Siebert, United States Attorney, Alexandria, Virginia, Kent P. Porter, Assistant United States Attorney, Virginia Van Valkenburg, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Travis Bunday appeals the district court's order accepting the recommendation of the magistrate judge and granting summary judgment to the Commissioner of the Social Security Administration on Bunday's complaint challenging the denial of Bunday's application for disability insurance benefits. We have reviewed the record and perceive no reversible error in the district court's finding that Bunday was not entitled to equitable tolling of the limitations period for filing his complaint. *See Menominee Indian Tribe v. United States*, 577 U.S. 250, 256 (2016) (explaining that litigant must establish both diligence and extraordinary circumstances for equitable tolling to apply); *see also Ott v. Md. Dep't of Pub. Safety & Corr. Servs.*, 909 F.3d 655, 661 (4th Cir. 2018) (explaining that "a party's misconception about the operation of the statute of limitations is neither extraordinary nor a circumstance external to [his] control" and that "an attorney's mistake in interpreting a statute does not amount to an extraordinary circumstance" (citation modified)).

Accordingly, we affirm the district court's judgment. *Bunday v. O'Malley*, No. 2:24-cv-00131-RAJ-DEM (E.D. Va. Oct. 1, 2024). 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