

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-1064**

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KENNETH BEVINS; VICTORIA BEVINS,  
  
Plaintiffs - Appellants,

v.

APOGEE COAL COMPANY, LLC,  
  
Defendant - Appellee.

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Appeal from the United States District Court for the Southern  
District of West Virginia, at Charleston. Joseph R. Goodwin,  
District Judge. (2:13-cv-24264)

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Submitted: February 22, 2016                      Decided: March 3, 2016

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Before WILKINSON, KING, and KEENAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Cynthia M. Ranson, J. Michael Ranson, RANSON LAW OFFICES, PLLC,  
Charleston, West Virginia, for Appellants. William J. Hanna,  
Eric T. Frye, Keith R. Hoover, FLAHERTY, SENSABAUGH BONASSO  
PLLC, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Bevins and Victoria Bevins appeal the district court's order granting summary judgment in favor of Apogee Coal Company in the Bevins' action under W. Va. Code Ann. § 23-4-2 (LexisNexis 2010). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Bevins v. Apogee Coal Co., No. 2:13-cv-24264 (S.D. W. Va. Dec. 18, 2014). 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