

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 05-1940

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ACE CHANEY,

Petitioner,

versus

GOLDEN CHANCE MINING; WEST VIRGINIA  
COAL-WORKERS' PNEUMOCONIOSIS FUND; DIRECTOR,  
OFFICE OF WORKERS' COMPENSATION PROGRAMS,  
UNITED STATES DEPARTMENT OF LABOR,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(05-130-BLA)

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Submitted: February 24, 2006

Decided: March 13, 2006

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Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Leonard Stayton, Inez, Kentucky, for Petitioner. Robert Weinberger,  
WORKERS' COMPENSATION DEFENSE DIVISION, Charleston, West Virginia;  
Howard M. Radzely, Solicitor of Labor, Allen H. Feldman, Associate  
Solicitor, Christian P. Barber, Counsel for Appellate Litigation,  
Jeffrey S. Goldberg, UNITED STATES DEPARTMENT OF LABOR, Washington,  
D.C., for Respondents.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Ace Chaney seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Chaney v. Golden Chance Mining, No. 05-130-BLA (BRB June 29, 2005). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED