

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-2142

SEA "B" MINING COMPANY,

Petitioner,

versus

MAUDIA ROWE, widow of Perry Rowe; DIRECTOR,
OFFICE OF WORKERS' COMPENSATION PROGRAMS,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(04-950-BLA)

Submitted: July 31, 2006

Decided: August 22, 2006

Before NIEMEYER, MICHAEL, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy Ward Gresham, PENN, STUART & ESKRIDGE, Abingdon, Virginia,
for Petitioner. Maudia Rowe, Respondent Pro Se. Rita A. Roppolo,
Christian P. Barber, UNITED STATES DEPARTMENT OF LABOR, Washington,
D.C., for Respondent Director.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Sea "B" Mining Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award 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 for the reasons stated by the Board. Rowe v. Sea "B" Mining Co., No. 04-950-BLA (BRB Aug. 12, 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