

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1360

NEWPORT NEWS SHIPBUILDING AND DRY DOCK
COMPANY,

Petitioner,

versus

DIRECTOR, OFFICE OF WORKERS' COMPENSATION
PROGRAMS; MARY ELSTON, WIDOW OF DENMER ELSTON,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(06-0577)

Submitted: October 19, 2007 Decided: November 13, 2007

Before NIEMEYER, MICHAEL, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jonathan H. Walker, MASON, MASON, WALKER & HEDRICK, P.C., Newport
News, Virginia, for Petitioner. Jonathan L. Snare, Acting
Solicitor of Labor, Allen H. Feldman, Associate Solicitor, Mark A.
Reinhalter, Kathleen H. Kim, UNITED STATES DEPARTMENT OF LABOR,
Washington, D.C.; Jennifer West Vincent, PATTEN, WORNOM, HATTEN &
DIAMONSTEIN, LC, Newport News, Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Newport News Shipbuilding and Dry Dock Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award of longshore survivor's benefits on a claim filed by Mary Elston pursuant to 33 U.S.C. §§ 901-950 (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. Newport News Shipbuilding & Dry Dock Co. v. Director, OWCP, No. 06-0577 (B.R.B. Feb. 27, 2007). 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