

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1699

CARL A. STOWERS,

Petitioner,

v.

WESTMORELAND COAL COMPANY, INCORPORATED; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(07-678-BLA)

Submitted: November 13, 2008

Decided: November 18, 2008

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Carl A. Stowers, Petitioner Pro Se. William Steele Mattingly,
JACKSON KELLY, PLLC, Morgantown, West Virginia; Sean Gregory
Bajkowski, Rita Ann Roppolo, UNITED STATES DEPARTMENT OF LABOR,
Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carl A. Stowers 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 deny the petition for review for the reasons stated by the Board. Stowers v. Westmoreland Coal Co., Inc., No. 07-0678-BLA (B.R.B. Apr. 29, 2008). 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.

PETITION DENIED