

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1939

CONSOLIDATION COAL COMPANY,

Petitioner,

v.

DONALD E. GILBERT; DIRECTOR, OFFICE OF WORKERS' COMPENSATION
PROGRAMS, UNITED STATES DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(12-0427-BLA)

Submitted: March 13, 2014

Decided: March 19, 2014

Before GREGORY, AGEE, and THACKER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

William S. Mattingly, Jeffrey R. Soukup, JACKSON KELLY PLLC,
Morgantown, West Virginia, for Petitioner. Heath M. Long,
PAWLOWSKI, BILONICK, & LONG, Ebensburg, Pennsylvania, for
Respondent Donald E. Gilbert.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Consolidation Coal 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 (2012). Our review of the parties' briefs and the record on appeal 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. Consolidation Coal Co. v. Gilbert, No. 12-0427-BLA (B.R.B. May 30, 2013). 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.

PETITION DENIED