

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-2420**

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CLINCHFIELD COAL COMPANY,

Petitioner,

v.

HAROLD BOSTIC; 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.  
(13-0046-BLA)

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Submitted: July 31, 2014

Decided: August 20, 2014

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Before WILKINSON, NIEMEYER, and DUNCAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Timothy W. Gresham, PENN, STUART & ESKRIDGE, Abingdon, Virginia,  
for Petitioner. Joseph E. Wolfe, Ryan C. Gilligan, WOLFE,  
WILLIAMS & REYNOLDS, Norton, Virginia, for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clinchfield Coal Company petitions for 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. Clinchfield Coal Co. v. Bostic, No. 13-0046-BLA (BRB Sept. 25, 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