

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

**No. 14-2184**

SHEENA HUNT, Individually and as the Administratrix of the  
Estate of; RUSSELL AARON HUNT, Deceased,

Plaintiffs - Appellants,

v.

BROOKS RUN MINING COMPANY, LLC, a Limited Liability  
Company,

Defendant - Appellee.

Appeal from the United States District Court for the Southern  
District of West Virginia, at Bluefield. David A. Faber, Senior  
District Judge. (1:13-cv-00433)

Submitted: June 30, 2015

Decided: July 29, 2015

Before MOTZ, GREGORY, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James R. Akers II, AKERS LAW OFFICES, PLLC, Charleston, West  
Virginia, for Appellants. Gretchen M. Callas, JACKSON KELLY  
PLLC, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sheena Hunt appeals the district court's order granting summary judgment in favor of Brooks Run Mining Company in Hunt's action under W. Va. Code Ann. § 23-4-2 (LexisNexis 2010).<sup>\*</sup> We have reviewed the parties' briefs and the record on appeal and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Hunt v. Brooks Run Mining Co., No. 1:13-cv-00433 (S.D. W. Va. Sept. 30, 2014). 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.

AFFIRMED

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<sup>\*</sup> The statute recently was amended. See 2015 W. Va. Legis. Serv. 243. We applied the prior version of the statute to the facts of this case.