UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2436

ZURICH AMERICAN INSURANCE GROUP, insurer for Cannelton Industries, Inc.,

Petitioner,

v.

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR; SYLVESTER J. LINTON,

Respondents.

On Petition for Review of an Order of the Benefits Review Board. (16-0122-BLA)

Submitted: July 31, 2017 Decided: September 25, 2017

Before KEENAN and DIAZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Cheryl L. Intravaia, FEIRICH/MAGER/GREEN/RYAN, Carbondale, Illinois, for Petitioner. Nicholas C. Geale, Acting Solicitor, Maia S. Fisher, Associate Solicitor, Gary K. Stearman, Counsel for Appellate Litigation, Barry H. Joyner, OFFICE OF THE SOLICITOR, UNITED STATES DEPARTMENT OF LABOR, Washington, D.C.; Timothy C. MacDonnell, WASHINGTON AND LEE UNIVERSITY SCHOOL OF LAW, Lexington, Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Zurich American Insurance Group 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. §§ 901-944 (2012). 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. *Zurich Am. Ins. Grp. v. Dir., Office of Workers' Comp. Programs*, No. 16-0122-BLA (B.R.B. Oct. 26, 2016). 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