UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 11-3500

CUMBERLAND RIVER COAL COMPANY, Petitioner,

v.

BILLIE BANKS; DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR, Respondents.

Before: SILER and WHITE, Circuit Judges; REEVES, District Judge.

JUDGMENT

THIS MATTER came before the court upon the petition for review of an order of the Benefits Review Board.

UPON FULL REVIEW of the record and the briefs,

IT IS ORDERED that the award of benefits is AFFIRMED.

ENTERED BY ORDER OF THE COURT

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Leonard Green, Clerk

FILED Aug 08, 2012 LEONARD GREEN, Clerk