

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2033

VALLEY CAMP COAL COMPANY,

Petitioner,

v.

SHIRLEY DOBRZYNSKI, on behalf of Edward E. Dobrzynski;
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(10-0429-BLA)

Submitted: June 26, 2012

Decided: July 12, 2012

Before AGEE and THACKER, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

William S. Mattingly, JACKSON KELLY, PLLC, Morgantown, West
Virginia, for Petitioner. Thomas E. Johnson, Anne Megan Davis,
JOHNSON, JONES, SNELLING, GILBERT & DAVIS, Chicago, Illinois; M.
Patricia Smith, Solicitor of Labor, Rae Ellen James, Associate
Solicitor, Gary K. Stearman, Counsel for Appellate Litigation,
Jonathan P. Rolfe, UNITED STATES DEPARTMENT OF LABOR,
Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Valley Camp 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 (2006). 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. Valley Camp Coal Co. v. Dobrzynski, No. 10-0429-BLA (B.R.B. July 28, 2011). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED