

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1951

CARL C. THORN,

Petitioner,

versus

ITMANN COAL COMPANY; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS, UNITED STATES
DEPARTMENT OF LABOR,

Respondents.

On petition for Review of an Order of the Benefits Review Board.
(99-208-BLA)

Argued: June 6, 2001

Decided: June 29, 2001

Before WIDENER, NIEMEYER, and LUTTIG, Circuit Judges.

Petition for review denied by unpublished per curiam opinion.

ARGUED: S.F. Raymond Smith, RUNDLE & RUNDLE, L.C., Pineville, West Virginia, for Petitioner. Kathy Lynn Snyder, JACKSON & KELLY, Morgantown, West Virginia, for Respondents. **ON BRIEF:** Mary Rich Maloy, JACKSON & KELLY, P.L.L.C., Charleston, West Virginia, for Respondent Itmann Coal.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Following oral argument and having considered the briefs and the record, we find no reversible error in the June 9, 2000, decision of the Benefits Review Board, BRB No. 99-0208 BLA, affirming the administrative law judge's October 29, 1998, decision and order on remand denying benefits.

Accordingly, for the reasons substantially expressed in the opinion of the Benefits Review Board, the petition for review is

DENIED.