

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 00-2430

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NEAL BLANKENSHIP,

Petitioner,

versus

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

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(99-1194-BLA, 99-1194-BLA-A, 98-1011-BLA)

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Submitted: April 10, 2001

Decided: May 18, 2001

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Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Neal Blankenship, Petitioner Pro Se. Martin Ellison Hall, JACKSON  
& KELLY, Lexington, Kentucky; Patricia May Nece, Jeffrey Steven  
Goldberg, UNITED STATES DEPARTMENT OF LABOR, Washington, D.C., for  
Respondents.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Neal Blankenship seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C.A. §§ 901-945 (West 1986 & Supp. 2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board.\* See Blankenship v. Island Creek Coal Co., Nos. 99-1194-BLA; 99-1194-BLA-A; 98-1011-BLA (Oct. 31, 2000). 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.

AFFIRMED

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\* We have considered the recent revisions to the regulations implementing the Black Lung Benefits Act, see Regulations Implementing the Federal Coal Mine Health and Safety Act of 1969, as amended; 65 Fed. Reg. 79,919 (December 20, 2000), and have determined that the revisions do not affect the outcome of this case.