

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 01-2357

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NEWPORT NEWS SHIPBUILDING AND DRY DOCK  
COMPANY,

Petitioner,

versus

MORRIS A. JACOBS; 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.  
(00-1180)

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Submitted: June 20, 2002

Decided: July 22, 2002

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Before LUTTIG and GREGORY, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Jonathan H. Walker, MASON, COWARDIN & MASON, P.C., Newport News,  
Virginia, for Petitioner. Ralph Rabinowitz, RABINOWITZ, SWARTZ,  
TALIAFERRO, LEWIS, SWARTZ & GOODOVE, P.C., Norfolk, Virginia, for  
Respondents.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Newport News Shipbuilding and Dry Dock Co. seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award of temporary partial disability benefits pursuant to 33 U.S.C.A. §§ 901-950 (West 2001). 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 Newport News Shipbuilding and Dry Dock Co. v. Jacobs, No. 00-1180 (B.R.B. Sept. 14, 2001). 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