

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2445

WILMA FAY KISER,

Petitioner,

versus

CLINCHFIELD 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
(02-0588-BLA)

Submitted: April 15, 2004

Decided: April 20, 2004

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

Affirmed by unpublished per curiam opinion.

Wilma Fay Kiser, Appellant Pro Se. Timothy Ward Gresham, PENN,
STUART & ESKRIDGE, Abingdon, Virginia; Patricia May Nece, Sarah
Marie Hurley, UNITED STATES DEPARTMENT OF LABOR, Washington, D.C.,
for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Wilma Fay Kiser seeks review of the Benefits Review Board's decision and orders affirming the administrative law judge's denial of her survivor's claim for black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000) and denying reconsideration. 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 Kiser v. Clinchfield Coal Co., No. 02-0588-BLA (BRB Apr. 24, 2003, Oct. 15, 2003). 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