

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1982

HOMER BLACKBURN,

Petitioner,

versus

SOW BRANCH COAL COMPANY; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS, UNITED STATES
DEPARTMENT OF LABOR; OLD REPUBLIC INSURANCE
COMPANY,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(03-0674-BLA)

Submitted: January 31, 2005

Decided: March 1, 2005

Before LUTTIG, TRAXLER, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Homer Blackburn, Petitioner Pro Se. Mark Elliott Solomons, Laura Metcoff Klaus, GREENBERG TRAUIG, LLP, Washington, D.C.; Jeffrey Steven Goldberg, Christian P. Barber, 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Unpublished opinions are not binding precedent in this circuit.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:

Homer Blackburn 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. §§ 901-45 (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 Blackburn v. Sow Branch Coal Co., No. 03-0674-BLA (BRB June 8, 2004). 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