

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-1999**

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WINDSOR COAL COMPANY,

Petitioner,

v.

EDGAR J. HUGGINS; DIRECTOR, OFFICE OF WORKERS' COMPENSATION  
PROGRAMS,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(06-0710-BLA)

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Submitted: May 30, 2008

Decided: June 25, 2008

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Before NIEMEYER and DUNCAN, Circuit Judges, and WILKINS, Senior  
Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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William S. Mattingly, JACKSON KELLY PLLC, Morgantown, West  
Virginia, for Petitioner. Stephen A. Sanders, APPALACHIAN CITIZENS  
LAW CENTER, Whitesburg, Kentucky; Gregory F. Jacob, Solicitor of  
Labor, Patricia M. Nece, Jeffrey S. Goldberg, UNITED STATES  
DEPARTMENT OF LABOR, Washington, D.C., for Respondents.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Windsor Coal Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award of black lung benefits on a claim filed by Edgar J. Huggins pursuant to 30 U.S.C. §§ 901-945 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we deny the petition for review for the reasons stated by the Board. Windsor Coal Co. v. Huggins, No. 06-0710-BLA (B.R.B. Aug. 15, 2007). 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.

PETITION DENIED