

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1692

GARY L. SKEENS, SR.,

Petitioner,

v.

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS;
MOUNTAINEER COAL DEVELOPMENT COMPANY/MARROWBONE DEVELOPMENT;
WEST VIRGINIA COAL WORKERS' PNEUMOCONIOSIS FUND,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(07-659-BLA)

Submitted: September 11, 2008 Decided: September 15, 2008

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

Petition denied by unpublished per curiam opinion.

Gary L. Skeens, Sr., Petitioner Pro Se. Allen Howard Feldman,
Patricia May Nece, UNITED STATES DEPARTMENT OF LABOR, Washington,
D.C.; Christopher Michael Hunter, Douglas Allan Smoot, Kathy Lynn
Snyder, JACKSON & KELLY, PLLC, Charleston, West Virginia, for
Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary L. Skeens, Sr., 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. §§ 901-945 (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. Skeens v. Director, OWCP, No. 07-659-BLA (B.R.B. Apr. 29, 2008). 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