

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 08-2168**

---

VIRGILLIOUS GLENN, Widow of Harold Glenn,

Petitioner,

v.

EASTERN ASSOCIATED COAL CORPORATION; DIRECTOR, OFFICE OF  
WORKERS' COMPENSATION PROGRAMS, United States Department of  
Labor,

Respondents.

---

On Petition for Review of an Order of the Benefits Review Board.  
(07-0998-BLA)

---

Submitted: July 16, 2009

Decided: August 14, 2009

---

Before NIEMEYER, GREGORY, and AGEE, Circuit Judges.

---

Petition denied by unpublished per curiam opinion.

---

S.F. Raymond Smith, JULIET RUNDLE & ASSOCIATES, Pineville, West  
Virginia, for Petitioner. Mark E. Solomons, Laura Metcoff  
Klaus, GREENBERG TRAUIG LLP, Washington, D.C., for Respondents.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Virgillious Glenn 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 (2006). 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. Glenn v. E. Associated Coal Corp., No. 07-0998 BLA (B.R.B. Aug. 28, 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