

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-1948**

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LONG CONSTRUCTION COMPANY,

Petitioner,

v.

ESTIL STILTNER; DIRECTOR, OFFICE OF WORKERS' COMPENSATION  
PROGRAMS,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(08-0124-BLA)

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Submitted: July 15, 2010

Decided: July 29, 2010

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Before WILKINSON, KING, and KEENAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Ronald E. Gilbertson, K&L GATES, LLP, Washington, D.C., for  
Petitioner. Joseph E. Wolfe, Ryan C. Gilligan, WOLFE, WILLIAMS,  
RUTHERFORD & REYNOLDS, Norton, Virginia; Deborah Greenfield,  
Acting Deputy Solicitor of Labor, Rae Ellen James, Associate  
Solicitor, Sean G. Bajkowski, Helen H. Cox, 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Unpublished opinions are not binding precedent in this circuit.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:

Long Construction Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's award 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. Stiltner v. Long Constr. Co., No. 08-0124-BLA (B.R.B. Nov. 26, 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