

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2150

RUSSELL E. LAMBERT,

Petitioner,

v.

FRANK ARNOLD CONTRACTORS, INCORPORATED; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(09-0658-BLA)

Submitted: March 29, 2011

Decided: May 5, 2011

Before KEENAN and WYNN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Russell E. Lambert, Petitioner Pro Se. Paul Edwin Frampton,
BOWLES, RICE, MCDAVID, GRAFF & LOVE, PLLC, Charleston, West
Virginia; Sarah Marie Hurley, UNITED STATES DEPARTMENT OF LABOR,
Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Russell E. Lambert 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. Lambert v. Frank Arnold Contractors, Inc., No. 09-0658-BLA (B.R.B. May 14 & Sept. 8, 2010). 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