

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-2145**

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CONSOLIDATION COAL COMPANY,

Petitioner,

v.

DAVID O. BLANKENSHIP; DIRECTOR, OFFICE OF WORKERS'  
COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(11-0723-BLA)

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Submitted: May 30, 2014

Decided: June 5, 2014

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

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Petition denied by unpublished per curiam opinion.

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William S. Mattingly, Amy Jo Holley, JACKSON KELLY PLLC,  
Morgantown, West Virginia, for Petitioner. Joseph E. Wolfe,  
Ryan C. Gilligan, WOLFE, WILLIAMS, RUTHERFORD & REYNOLDS,  
Norton, Virginia; Sean Gregory Bajkowski, Helen Hart 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Unpublished opinions are not binding precedent in this circuit.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:

Consolidation Coal Company petitions for 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 (2012). Our review of the parties' briefs and the record on appeal 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. Consolidation Coal Co. v. Blankenship, No. 11-0723 BLA (B.R.B. July 26, 2012). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED