

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-2076**

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PAT NUNLEY, Administrix of the estate of Laura  
Johnson, deceased widow of Howard Johnson,

Petitioner,

versus

DIRECTOR, OFFICE OF WORKERS' COMPENSATION  
PROGRAMS, UNITED STATES DEPARTMENT OF LABOR;  
CLINCHFIELD COAL COMPANY,

Respondents.

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On Petition for Review of an Order for the Benefits Review Board.  
(96-1259-BLA)

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Submitted: December 2, 1997

Decided: December 15, 1997

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Before HALL, MURNAGHAN, and LUTTIG, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Pat Nunley, Petitioner Pro Se. Rita A. Roppolo, Christian P.  
Barber, UNITED STATES DEPARTMENT OF LABOR, Washington, D.C.;  
Ramesh Murthy, PENN, STUART & ESKRIDGE, Abingdon, Virginia, for  
Respondents.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Petitioner 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.A. §§ 901-945 (West 1986 & Supp. 1996). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. Johnson v. Clinchfield Coal Co., BRB No. 96-1259-BLA (B.R.B. June 27, 1997). We have reviewed the remaining contentions and find them to be without merit. 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.

AFFIRMED