

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2637

ARNOLD VANCE,

Plaintiff - Appellant,

versus

MICHAEL HOLLAND, Trustee; DONALD PIERCE, JR.,
Trustee; JOHN WALTON, Trustee; JOSEPH J.
STAHL, II, Trustee; TRUSTEES OF THE UNITED
MINE WORKERS OF AMERICA 1974 PENSION TRUST,
United Mine Workers of America,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Big Stone Gap. James P. Jones, District
Judge. (CA-97-269-B)

Submitted: March 9, 1999

Decided: March 31, 1999

Before ERVIN and WILKINS, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Arnold Vance, Appellant Pro Se. Jerry Mims, UNITED MINE WORKERS OF
AMERICA, Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Arnold Vance appeals a district court order granting summary judgment to the Trustees of the United Mine Workers of America 1974 Pension Trust, finding that the Trustees' decision to deny benefits under the pension plan was not an abuse of discretion in this action filed pursuant to the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C.A. § 1132(a)(1)(B) (West Supp. 1998). We have reviewed the record de novo and agree with the district court that the Trustees did not abuse their discretion. See Firestone Tire & Rubber Co. v. Bruch, 489 U.S. 101, 115 (1989); Brogan v. Holland, 105 F.3d 158, 161 (4th Cir. 1997). Accordingly, we affirm the district court order. See Vance v. Holland, No. CA-97-269-B (W.D. Va. Oct. 6, 1998). 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