

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-2281

FRANKLIN D. MARTIN,

Petitioner,

versus

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PRO-
GRAMS, UNITED STATES DEPARTMENT OF LABOR;
CONTRANS M&R SERVICES,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(98-1503)

Submitted: April 28, 2000

Decided: May 19, 2000

Before WIDENER, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Reuben E. Lawson, Baltimore, Maryland, for Petitioner. F. Nash
Bilisoly, IV, Kelly Outten Stokes, VANDEVENTER BLACK, L.L.P.,
Norfolk, Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Franklin D. Martin seeks review of the Benefits Review Board's (Board) decision and order affirming the Administrative Law Judge's (ALJ) denial of benefits under the Longshore and Harbor Workers Compensation Act, 33 U.S.C. § 901 (1994). Our review of the record discloses that the Board's decision was based upon substantial evidence and is without reversible error.* In addition, we find Martin failed to show prejudice as a result of the ALJ's and the Board's alleged failure to consider the report of Dr. John D. MacGibbon. Therefore, any error in this regard was harmless. Accordingly, we affirm substantially on the reasoning of the Board. See Martin v. Director, No. 98-1503 (B.R.B. July 28, 1999). 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

* Martin's claim that the ALJ and the Board failed to resolve doubts in Martin's favor under the so-called "true doubt rule" is meritless. See Director v. Greenwich Collieries, 512 U.S. 267 (1994).