

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1535

SAMUEL E. ROSE,

Plaintiff - Appellant,

versus

MARTY HUDSON; B. V. HYLER; MICHAEL HOLLAND;
JOSEPH BRENNAN; UNITED MINE WORKERS OF AMERICA
HEALTH AND RETIREMENT FUNDS, by their
Trustees,

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-99-54-2)

Submitted: July 31, 2000

Decided: August 23, 2000

Before WILLIAMS, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Samuel E. Rose, Appellant Pro Se. Charlie Richard Jessee, JESSEE
& READ, P.C., Abingdon, Virginia; Carolyn O'Meara Dutrow, 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Unpublished opinions are not binding precedent in this circuit.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:

Samuel E. Rose appeals from the district court's order upholding the denial of disability benefits by the Trustees of the United Mine Workers of America 1974 Pension Trust. Our de novo review of the record reveals that the Trustees' decision is supported by substantial evidence and was not, therefore, an abuse of discretion. Accordingly, we affirm on the reasoning of the district court. See Rose v. Hudson, No. 99-CV-0054 (W.D. Va. Apr. 6, 2000). 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