

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1285**

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MARY F. LINVILLE, Widow of Buddy Linville,

Petitioner,

versus

ISLAND CREEK COAL COMPANY; 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  
(04-439-BLA)

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Submitted: August 18, 2005

Decided: August 23, 2005

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Before WIDENER, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Mary F. Linville, Petitioner Pro Se. Mary Rich Maloy, JACKSON  
KELLY, PLLC, Charleston, West Virginia; Christian P. Barber, Sarah  
Marie Hurley, Donald Steven Shire, UNITED STATES DEPARTMENT OF  
LABOR, Washington, D.C., for Respondents.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mary F. Linville 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. §§ 901-945 (2000). 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. See Linville v. Island Creek Coal Co., No. 04-439-BLA (Jan. 13, 2005). 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