

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-1609

PAUL E. CHILDRESS,

Petitioner,

versus

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

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(94-2267-BLA)

Submitted: November 7, 1996

Decided: November 18, 1996

Before RUSSELL and WIDENER, Circuit Judges, and PHILLIPS, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Paul E. Childress, Petitioner Pro Se. Douglas Allan Smoot, JACKSON
& KELLY, Charleston, West Virginia; C. William Mangum, Patricia May
Nece, Christian P. Barber, UNITED STATES DEPARTMENT OF LABOR, Wash-
ington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant seeks review of the Benefits Review Board's decision and order and order on reconsideration 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. Childress v. Beatrice Pocahontas Coal Co., No. 94-2267-BLA (B.R.B. Apr. 18, 1996). 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