

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2170

CLINCHFIELD COAL COMPANY, c/o HealthSmart Casualty Claims Solutions,

Petitioner,

v.

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR; KELLIS C. BARTON,

Respondents.

On Petition for Review of an Order of the Benefits Review Board. (23-0360-BLA)

Submitted: April 22, 2026

Decided: July 14, 2026

Before NIEMEYER, AGEE, and BERNER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

ON BRIEF: Timothy W. Gresham, Kendra R. Prince, PENN, STUART & ESKRIDGE,
Abingdon, Virginia, for Petitioner. Brad A. Austin, WOLFE WILLIAMS & AUSTIN,
Norton, Virginia, for Respondent Kellis C. Barton

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clinchfield Coal Company petitions for review of the Benefits Review Board's (BRB) decision and order affirming the Administrative Law Judge's (ALJ) award of black lung benefits pursuant to 30 U.S.C. §§ 901-944. Our review of a decision of BRB is limited to considering "whether substantial evidence supports the factual findings of the ALJ and whether the legal conclusions of the [BRB] and ALJ are rational and consistent with applicable law." *Westmoreland Coal Co. v. Stallard*, 876 F.3d 663, 668 (4th Cir. 2017) (quoting *Hobet Mining, LLC v. Epling*, 783 F.3d 498, 504 (4th Cir. 2015)) (internal quotation marks omitted). "Substantial evidence is more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *Sea "B" Mining Co. v. Addison*, 831 F.3d 244, 252 (4th Cir. 2016) (quoting *Consol. Edison Co. of N.Y. v. NLRB*, 305 U.S. 197, 229 (1938)) (internal quotation marks omitted). "To determine whether this standard has been met, we consider whether all of the relevant evidence has been analyzed and whether the ALJ has sufficiently explained h[er] rationale in crediting certain evidence." *Hobet Mining*, 783 F.3d at 504 (quoting *Mingo Logan Coal Co. v. Owens*, 724 F.3d 550, 557 (4th Cir. 2013)) (internal quotation marks omitted).

Upon review of the record and consideration of the parties' arguments on appeal, we conclude that the BRB's decision is based on substantial evidence and is without reversible error. Accordingly, we deny the petition for review for the reasons stated by the BRB. BRB No. 23-0360 BLA. We dispense with oral argument because the facts and legal

contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED