

BRB No. 89-0970 BLA

DOROTHY MADDEN )  
(Widow of EWELL MADDEN) )  
 )  
 Claimant-Petitioner )  
 )  
 v. )  
 )  
 PEABODY COAL COMPANY ) ) DATE ISSUED:  
 )  
 and )  
 )  
 OLD REPUBLIC COMPANIES )  
 )  
 Employer/Carrier- )  
 Respondent )  
 )  
 DIRECTOR, OFFICE OF WORKERS' )  
 COMPENSATION PROGRAMS, UNITED )  
 STATES DEPARTMENT OF LABOR )  
 )  
 Party-in-Interest ) ) DECISION and ORDER

Appeal of the Decision and Order and the Decision and Order on Remand of Jeffrey Tureck, Administrative Law Judge, United States Department of Labor.

Harold B. Culley, Jr., Raleigh, Illinois, for claimant.

Marguerite N. Woung (Arter & Hadden), Washington, D.C., for employer.

Before: BROWN and DOLDER, Administrative Appeals Judges, and LAWRENCE, Administrative Law Judge.\*  
PER CURIAM:

Claimant, the surviving spouse, appeals the Decision and Order and the Decision and Order on Remand (86-BLA-423) of Administrative

\*Sitting as a temporary Board member by designation pursuant to the Longshore and Harbor Workers' Compensation Act as amended in 1984, 33 U.S.C. §921(b)(5) (Supp. V 1987).

Law Judge Jeffrey Tureck denying benefits on a miner's claim and a survivor's claim filed pursuant to the provisions of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, 30 U.S.C. §901 et seq. (the Act). This is the second appeal of this case before the Board.

Accordingly, the administrative law judge's Decision and Order and the Decision and Order on Remand denying benefits is affirmed.

SO ORDERED.

JAMES F. BROWN  
Administrative Appeals Judge

NANCY S. DOLDER  
Administrative Appeals Judge

LEONARD N. LAWRENCE  
Administrative Law Judge