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AppalReD Legal Aid Files Brief Before U.S. Supreme Court in Black Lung Case

Prestonsburg, KY – AppalReD Legal Aid proudly announces that its Advocacy Director, Evan Smith, has filed a brief before the United States Supreme Court in a pivotal black lung benefits case. The brief is in *Arch Resources, Inc. v. Director, Office of Workers' Compensation Programs, et al.*, No. 24-784, and can be [accessed here](#).



At the heart of the case is the story of Mr. David Howard, a lifelong resident of Harlan County who spent two decades working in the mines of Lynch, Kentucky. After developing a totally disabling respiratory condition known as black lung, he

filed for benefits under the Black Lung Benefits Act. He died nine years later, still waiting. Now, over a decade after his initial claim, his widow may finally receive the benefits their family was owed—but never paid—before his death. The sole legal question remaining is who should bear the cost of those benefits, and whether the Howard family must continue to wait.

“It is unacceptable but not unusual for coal miners to die waiting on their black lung benefits. This case is about upholding the rights of coal miners, many of whom sacrifice their health, their very ability to breathe, to power not just Kentucky, but the nation,” said Evan Smith, Advocacy Director at AppalReD Legal Aid. “The stakes of this case go beyond one family. We must make sure that additional delays are not introduced into the black lung benefits system.”

Angeleigh Dorsey, Executive Director of AppalReD Legal Aid, added: “It’s not every day that a legal aid lawyer has the opportunity to file a brief with the U.S. Supreme Court. I’m proud to say that AppalReD is home to a team of talented and dedicated legal professionals, including one of the finest black lung attorneys in the country. Evan’s work shows the promise of what legal aid can do: fight for hardworking families who would otherwise be left out of the justice system. Justice for Mr. Howard has taken far too long, but his case reminds us of why legal aid matters. When a coal miner can have a fair day in court, in the highest court of the land, that’s America living out its values on its best day.”



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Angeleigh Dorsey

EXECUTIVE DIRECTOR



AppalReD Legal Aid worked on the brief with attorneys from Wolfe Williams & Austin.

AppalReD Legal Aid serves approximately 10,000 low-income people each year including seniors, survivors of natural disasters, survivors of domestic violence, and families facing hard times. They provide help with civil legal issues that help low-income people put food on the table, keep a roof over their head, and live free of abuse. For more information visit ardfky.org.

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